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THE HISTORY OF KENTUCKY

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FROM ITS EARLIEST DISCOVERY AND SETTLEMENT TO THE PRESENT DATE, EMBRACING ITS PREHISTORIC AND ABORIGINAL PERIODS; ITS PIONEER LIFE AND EXPERIENCES; ITS POLITICAL, SOCIAL, AND INDUSTRIAL PROGRESS; ITS EDUCATIONAL AND RELIGIOUS DEVELOPMENT; ITS MILITARY EVENTS AND ACHIEVEMENTS, AND BIOGRAPHIC MENTION OF ITS HISTORIC CHARACTERS.

BY

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EX-SUPERINTENDENT OF PUBLIC INSTRUCTION OF KENTUCKY.

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reputation. He took a leading part in all the great questions of local character that agitated Kentucky from 1793 to 1806, and whose settlement still exerts a controlling influence upon the character of her people and institutions. The constitution of 1798-9, for fifty years preserved unaltered, was as much the work of his hands as of any other statesman. The question of negro slavery, as settled in that constitution, upon a moderate ground, the ground which Kentucky ever occupied; the systematizing, to some extent, the civil and criminal codes; the simplification of the land law; the law of descents; the penitentiary system; the abolition of the punishment of death, except for willful murder and treason—all these, and many other important subjects of a kindred nature, fell under his molding labors at the forming period of the Commonwealth, and remained till 1850 as they were adjusted half a century before. In those vital questions that involved the destiny of the whole West, and threatened the plan, if not the continuance, of the Union itself, no man took an earlier or more decided stand. It is capable of proof that the *free navigation* of the Mississippi river, and subsequently the purchase of Louisiana, were literally forced upon the General Government by demonstrations from the West, mainly from Kentucky, in which the mind and the hand of this statesman were conspicuous.

As a statesman, however, he is best known as one of the leading men of the old Democratic party, which came into power with Mr. Jefferson, as president, under whose administration he was made attorney-general of the United States. He was an ardent friend, personal and political, of Mr. Jefferson; he coincided with him upon the great principles of the old democracy; he concerted with him and Mr. Madison, and others of kindred views, the movements which brought the Democratic party into power; he supported the interests of that party with eminent ability, in the Legislature of Kentucky, and in the Senate of the United States, and died much beloved, honored, and trusted by it. After his death, it was intimated that the Kentucky resolutions of 1798-9, which he offered, and which were the first great movement against the alien and sedition laws, and the general principles of the party that passed them, were in fact the production of Mr. Jefferson himself, and not of John Breckinridge. The family of Mr. Breckinridge have constantly asserted that their father was the sole and true author of these resolutions.

In stature, John Breckinridge was above the middle size of men; tall, slender, and muscular; a man of great power and noble appearance. He had very clear gray eyes, and brown hair, inclining to a slight shade of red. He was extremely grave and silent in his ordinary intercourse; a man singularly courteous and gentle, and very tenderly loved by those who knew him. His descendants are numerous, both of his own and other names.

¹ The first instance of a pension under the government of Kentucky occurred this year, and of a most remarkable character, illustrative of the

vicissitudes of the times. Clarinda Arlington, on application to the General Assembly for assistance, was allowed an annuity for three years. It was alleged that she had been a prisoner with the Cherokee Indians, and was compelled by a chief to marry him after the Indian fashion. By this marriage she bore him three children, when she escaped from the savages and took refuge in Kentucky.

By the vicissitudes of fortune in the life of that remarkable genius, General Wilkinson, who bore, but a few years ago, such a conspicuous part in the intrigues looking to the severance of Kentucky from the Union, and her attachment by liberal commercial relations with the Spanish province of Louisiana, we find him now a general in the regular army of the United States; and first in military command to receive from the French agent the transfer and control of this territorial empire, on its purchase from Napoleon. In 1806, when the Spanish forces were menacingly advanced to the east side of the Sabine river, General Wilkinson was ordered to repel and drive them back upon the Mexican frontier.

¹The brilliant and ambitious Aaron Burr, whose term of vice-president had just expired, had mainly forfeited his political prestige and the sympathy of the people, by an ill-advised attack upon the administration, and by the death of Alexander Hamilton in a duel, at his hands. During the summer of 1805, he visited Kentucky, and after some stay in Frankfort in an apparently retired manner, he proceeded on his way through all the principal points in the Western country, from St. Louis to New Orleans. In the ensuing August, Colonel Burr returned to Lexington, on his way eastward again.

In 1806, the ubiquitous conspirator, whose mysterious changes of place seemed like the agitations of some evil spirit, ill at peace with itself, again appeared in the Western country. His headquarters seem to have been the ill-fated and beautiful home of Mr. Blannerhassett, on the island bearing his name, in the Ohio river. Rumors of desperate schemes and mad enterprises increased rapidly one upon another. Boats were known to be building in the States of Kentucky and Ohio in considerable numbers; provisions were contracted for; and numbers of the young and ardent, with some of graver character, were engaged in some military expedition, whose character could not be precisely ascertained. Many asserted that the expedition was against Mexico, and was undertaken with the connivance, if not with the concurrence, of the president of the United States. ²Artifices to produce this impression were afterward known to have been employed, to inveigle those whose principles could not otherwise be overpowered. The difficulties of the United States with Spain confirmed the above representations. These various kinds of proof were communicated by Joseph H. Daveiss, the distinguished attorney for the United States, to the president, early in January of this year.

¹ Butler, p. 309.

² Jefferson's Correspondence.

It seems that it was not until the communications of Burr, through Samuel Swartwout, to Wilkinson, in his camp at Natchitoches, and forwarded to President Jefferson, that the latter had exact intelligence of the plan or the parties. This letter was dated at Philadelphia, on the 29th of July, 1806; but was not delivered, owing to Wilkinson's rapid change of movements from St. Louis to Natchitoches, where the messenger followed him, until the 8th of October. Still the letter was couched in such mystified and obscure language, as to bear no precise interpretation, without the verbal explanations of the bearer, to which Wilkinson was referred. It announced the enterprise in these dark terms: "I (Aaron Burr) have obtained funds, and have actually commenced the enterprise. Detachments from different points, under different pretences, will rendezvous in Ohio, 1st November—everything, internal and external, favors views: Protection of England is secured; Truxton is going to Jamaica, to arrange with the admiral on that station; it will meet on the *Miss.—England.—Navy* of the U. S. are ready to join, and final orders are given to my friends and followers; it will be a host of choice spirits. Wilkinson shall be second to Burr only; Wilkinson shall dictate the rank and promotion of his officers—Burr will proceed westward 1st August, never to return." In another part of the letter he writes: "Already are orders to the contractors given, to forward six months' provisions to points Wilkinson may name; this shall not be used until the last moment, and then under proper injunctions; the project is brought to the point so long desired. Burr guarantees the result with his life and *honor*, with the lives, the *honor*, the fortunes of hundreds, the *best blood* of our country. Burr's plan of operations is, to move down rapidly from the falls on the 15th of November, with the first five hundred or one thousand men, in light boats, now constructing for that purpose, to be at Natchez between the 5th and 15th of December; there to meet Wilkinson; there to determine whether it will be expedient in the first instance to seize on Baton Rouge!"¹

This letter contains the most explicit details from Burr himself, in writing, destitute, as it no doubt purposely was left, of clear meaning, independent of other circumstances. To General Eaton, however, in the winter of 1805-6, Aaron Burr signified that he was organizing a military expedition, to be moved against the Spanish provinces on the South-western frontiers of the United States.² This was represented to be under the authority of the General Government. In additional conversations, he laid open his project of revolutionizing the territory west of the Alleghany, and establishing an independent empire there; New Orleans to be the capital, and he himself to be the chief; organizing a military force on the waters of the Mississippi, and carrying conquest to Mexico.

These projects were enlarged upon in the oral conferences between Mr. Swartwout and General Wilkinson, so as to represent that Colonel Burr, with the support of a powerful association extending from New York to New

¹ Wilkinson's Memoirs, Vol. II., p. 216.

² Burr's Trial, p. 474.

Orleans, was levying an armed body of seven thousand men from the State of New York and the Western States and Territories, with a view to carry an expedition to the Mexican territories.

Anterior to these developments, Burr, as has been intimated, had returned to Kentucky in August, 1806. Here he effected the negotiation of bills of exchange, to the amount of twenty-five thousand dollars, through the Kentucky Insurance Company; these notes were afterward known to have been paid for tavern expenses at Washington city, by some of the associates of Burr, after the explosion of the scheme.

Colonel Daveiss, after having made exertions to penetrate the mystery of Burr's plans, even by going to St. Louis, where Wilkinson was governor, to scrutinize the movements of the general, obtaining no instructions from the executive, on the meeting of the district court of the United States, in November, 1806, made oath "that he was informed, and did verily believe, that Aaron Burr for several months past had been, and now is, engaged in preparing and setting on foot, and in providing and preparing the means for, a military expedition and enterprise within this district, for the purpose of descending the Ohio and Mississippi therewith, and making war upon the subjects of the king of Spain." After having read this affidavit, the attorney added, "I have information, on which I can rely, that all the Western territories are the next object of the scheme; and, finally, all the region of the Ohio is calculated as falling into the vortex of the newly-proposed revolution."

The motion for process against Burr was, however, overruled, as unprecedented and illegal; yet the daring intriguer, hearing of the intended prosecution, had the politic audacity to present himself before the court, and demand an investigation of his conduct; for which, as he said, he was always ready, and therefore had attended. The attorney replied to this counterfeit of innocence, that he only wanted his witnesses to be ready for trial, which, after conversing with the marshal, he said might be on Wednesday, the 11th of November. This day was then appointed for the meeting of a grand jury, and officers were dispatched with subpoenas to different parts of Kentucky, as well as of Indiana.

On the assembly of the court, upon the stated day, amid the most intense excitement, produced by the serious magnitude of the charge and the former dignity of the accused, it was found that a material witness, Davis Floyd, was absent, attending a meeting of the Indiana Legislature, of which he was a member. Upon this, the court discharged the grand jury. Immediately afterward, Burr, accompanied by his counsel, Henry Clay and John Allen, came into court, and on learning the dismissal of the jury, gravely asked the reason, and expressed his regret at the step. On being informed of the cause which had led to this result, he desired that the cause of the postponement should be entered of record, and also the reason of the non-attendance of Floyd. This was done, with the consent of Colonel Daveiss.

The arch conspirator then addressed the people through the court, by saying that¹ the good people of Kentucky might, and he hoped they would, dismiss their fears for the present; that in fact there was no ground for them, whatever efforts had been made to excite them; that he had understood some had been made to apprehend that he was pursuing means inimical to their peace; but they were misinformed, as they would find, if the attorney should ever get ready and open his investigation, that in the meantime they would be in no manner of danger from him; that he had to act on the defensive only; that he should expect another attack, and hold himself ready for it.

During these proceedings, the conduct of this adroit and most insinuating man is represented to have been grave, polite, and dignified. It required something of Roman sternness to withstand the blandishments of the winning and fascinating address of this extraordinary character. Those who saw him presiding in the Senate of the United States, and most particularly during the embarrassing trial of Judge Chase, may estimate the graceful dignity, the polished decision, and the silent firmness which so strikingly characterized this modern Cataline.

John Rowan, then acting as secretary of state for Kentucky, and a member of Congress-elect, was asked to engage in his second defense, in conjunction with Mr. Clay. Mr. Rowan objected to it on account of his late congressional election, which bound him, as he thought, not to engage in a controversy possibly involving fidelity to the General Government. Mr. Clay, who had now also been elected a member of Congress, on reflection, concurred in this opinion, and asked the advice of Mr. Rowan. The latter candidly concurred with Mr. Clay in the impropriety of retiring from his professional engagement at the existing stage, and suggested the expediency of requiring from Colonel Burr a declaration, upon his honor, that he was engaged in no schemes hostile to the peace or union of the country.

The reply of Mr. Burr, dated December 1st, to Mr. Clay, was: ²“I have no design, nor have I taken any measure, to promote the dissolution of the Union, or a separation of any one or more States from the residue. I have neither published a line on this subject, nor has any one, through my agency or with my knowledge. I have no design to intermeddle with the Government, or to disturb the tranquillity of the United States, nor of its territories, or any part of them. I have neither issued, nor signed, nor promised a commission to any person, for any purpose. I do not own a musket, nor bayonet, nor any single article of military stores, nor does any person for me, by my authority or my knowledge. My views have been explained to and approved by several of the principal officers of Government, and, I believe, are well understood by the administration and seen by it with complacency. They are such as every man of honor and every good citizen must approve. Considering the high station you now fill in our national councils, I have thought these explanations proper, as well to coun-

¹ Marshall, Vol. II., p. 397.

² Prentice's Biography of Henry Clay, p. 33.

teract the chimerical tales which malevolent persons have industriously circulated as to satisfy you that you have not espoused the cause of a man in any way unfriendly to the laws, the Government, or the interests of his country."

These assurances sheltered Mr. Clay from all animadversion on his professional defense of Burr. On a subsequent occasion, Mr. Rowan had an interview with Colonel Burr, when, the latter attempting to remove some objections which were understood to be felt by the former to engaging in his defense, Mr. Rowan arrested the strain of remark by observing that he had been taught from early childhood not to reason on subjects which his feelings in the first instance condemned.

On the 2d of December, another grand jury was assembled, by order of the district judge, at the instance of the attorney for the United States. Indictments were laid before it against John Adair and Aaron Burr, for instituting unlawful expeditions against the dominions of the king of Spain; but the jury, having carefully examined and scrutinized all the testimony which had come before them, said "there had been none which in the smallest degree criminated either of the above persons; nor can we, from all the inquiries and investigations on the subject, discover that anything improper or injurious to the interest of the Government of the United States, or contrary to the laws thereof, is designed or contemplated by either of them."

This decision of the grand jury was received by a burst of applause from the spectators, so intense was the popular sympathy for Burr. Thus did the wily arts of this consummate intriguer mislead not only confiding friends, but the judicial tribunals of the country, and convert what should have been the instruments of detection into trumpets of praise and vehicles of confidence.

A public ball was given in honor of Burr's triumph, which provoked another in honor of the Union and Colonel Daveiss, for the consolation of the intrepid officer.

¹While this judicial farce was acting at Frankfort, and that unavoidably, too, after submitting the indictments to the jury, the president's proclamation had been issued and was on the road, to arouse the people of the Western country from the stupor produced by the Machiavelian arts of the consummate deceiver. On the 27th of November, the proclamation was published, and on the 18th of December was known at Frankfort. On the 16th, the persevering Daveiss, foiled as he had been in all his legal efforts to arrest this conspiracy, still not despairing in his patriotic course, wrote the governor from Louisville, communicating the passage at that place of Blannerhassett, with eight flat-boats and three keel-boats, having some boxes of arms and ammunition on board, and some men. On the confidential communication of this letter, the Legislature resolved that the governor be requested to use, with all possible expedition, the means within his power

¹ Butler, p. 317.

to execute the duties required by the proclamation of the president of the United States, bearing date of November 27th. An application of the presidential agent to the Legislature of Kentucky procured an extraordinary act to prevent unlawful enterprises. Under this law, measures were immediately taken to order out portions of the militia; but before they assembled at their posts, all the boats of Colonel Burr not intercepted by the authorities of the State of Ohio effected their passage to the mouth of Cumberland. There the bold adventurers, disconcerted by the late but unexpected vigor of the State governments, assembled with Colonel Burr to brood over their blasted hopes of aggrandizement on the disruption of their country.

On the 22d of December, Burr descended the Cumberland river from Nashville, with two boats of accommodation merely. On reaching Bayou Pierre, in the Mississippi Territory, he surrendered himself to the civil authority.

After this, he attempted to flee into Florida, but, on being intercepted by the military force, he was conveyed to Richmond, Virginia, on the 26th of March, 1807. Legal difficulties, arising from his absence at the military musters on Blannerhassett's Island, shielded this high offender from the law of treason.

Thus one of the most dramatic episodes of American history, of which Kentucky was mainly the scene of action, passed into historic notoriety as "Burr's Conspiracy." The verdict of public judgment has universally pronounced the scheme as treasonable in intent, and in all the intrigues and devices by which its consummation was sought. So far as Colonel Burr may have aimed to disturb the relations of any of the States or Territories, he was certainly amenable to the imputation of treason. Yet, to the admirers of the vulgar greatness which the popular mind is ever ready to concede to military ascendancy, it may be observed that Burr was, at worst, only what Cæsar, and Cromwell, and the Napoleons, might have been, if fortune had smiled less auspiciously on their daring usurpations. Those who are so easily dazzled with the guilty splendor of success, in the one case, may well extend a compassionate feeling to guilty misfortune, in the other, and yet preserve their consistency.

As far as Burr's intentions and plans were aimed at conquest and empire beyond the borders of the United States territory, he was not alone to blame. There was a Western element, most largely represented in Kentucky, that longed for adventure. Though the avenues were closed by the stipulations of general peace, the restless spirit of the occidental Jasons longed for adventure, and the more desperate and daring it seemed, the greater were the fascinations to embark in it to these. The heroic age of Kentucky had well nigh spent its force, for the want of opportunity, but the love of adventure and conquest burned as intensely as of old in the hearts of many. The spirit is not all gone yet; but, in these modern days, we entitle it "*filibustering*." Toward the provinces of Spain in the South-west, Burr's enter-

prise may, in modified language, be termed a *filibustering* expedition on a grand scale, dishonored because an abortion, and not a birth of empire.

¹ The atmosphere of public and political life was this year made rife with the elements of official bad faith, stirred up by the legislative proceedings in regard to the conspiracy of Burr. It was during the session of the Legislature in 1806 that, on motion, an inquiry was ordered into the conduct of Judge Sebastian.

The resolution of inquiry was in the following words :

"WHEREAS, This House has been informed and given to understand that Benjamin Sebastian, one of the judges of the Court of Appeals of this Commonwealth, has been, during his continuance in office, a pensioner of the Spanish Government; wherefore,

"*Resolved*, That a committee be appointed to inquire into the facts, and such other facts relating thereto as may be deemed proper for investigation."

A committee was accordingly appointed, with full power to send for persons, papers, and records for their information. The disclosures produced by this committee established the fact that Judge Sebastian, while a high judicial officer of Kentucky, had been for over ten years in the receipt of a pension from the court of Spain of two thousand dollars a year. This amount had been received for him by Thomas Bullitt, of Louisville, in 1801 and 1802; and a draft for the pension, on the Spanish governor of New Orleans, had been found by Charles Wilkins, in the papers of John A. Seitz, deceased, of Natchez. In the course of this investigation, Judge Innes was summoned before the committee, and detailed of his own honorable frankness, the successive visits of Thomas Power, as the agent of the Baron De Carondelet, the governor of Louisiana, in 1795, and again in 1797, to negotiate for commercial privileges, and finally for forcible separation from the rest of the confederacy, with Messrs. Sebastian, Innes, Nicholas, and Murray. On this evidence, the previous statement of the Spanish conspiracy has been mainly founded. The conclusion of the committee was that Judge Sebastian had been guilty as charged, and his conduct in doing so was subversive of every duty he owed to the constituted authorities of our country, and highly derogatory to the character of Kentucky. This report was unanimously agreed to by the House. The judge having resigned, no further measures were taken.

The testimony in regard to Judge Sebastian, having fixed on him the charges of bribery and foreign pension, though confined to him alone, and though the offer of two hundred thousand dollars had been rejected by his high-minded associates. Innes and Nicholas, yet it fastened an imputation upon the latter gentleman, which in this instance he did not deserve, and which distressed him through the remainder of his life. Thus sensitive was this venerable man to even the appearance of a blemish on his character.

¹ Butler, p. 320.

The memory of Innes and Nicholas is free from all suspicion of being tainted with foreign money; and it is only fair to let these distinguished and faithful public men speak for themselves:

"The reasons," says Judge Innes, "why myself and Colonel Nicholas did not communicate the subject to the executive of the United States were these: First, it was known that neither of us approved of Mr. Adams' administration, and that we believed he kept a watchful eye over our action; that the communication must depend upon his opinion of our veracity, and it would have the appearance of courting his favor; secondly, that we both had reason and did believe that the then administration were disposed, upon the slightest pretext, to send an army to this State, which we considered would be a grievance upon the people, and therefore declined making any communication on the subject, as we apprehended no danger from the Spanish Government."¹

It becomes here the imperative duty of the historian to turn back for almost a quarter of a century, to the period when these foreign intrigues began first to agitate the sentiment of Kentucky, and to review them from an entirely different standpoint. So far, the testimonies introduced as to the proceedings and parties implicated have been such as appeared from time to time in the discussions and investigations within our own State, where there could be no official records and proofs to remove the veil of mystery which so long hung over this romantic episode of history. Such official records were, of course, only in existence with the foreign authorities with whom the conspirators in Kentucky held communication. These records are on file mainly in the archives of Spain, at Madrid, and have become to us a revelation that clears up all mystery and doubt as to the formidable significance of the intrigues by which it was sought to sever the Union, by the divide of the Alleghany range.

Of the correspondence and papers between Wilkinson and his associates, and the Spanish authorities at New Orleans. Gayarre says, in his "History of Louisiana under the Spanish Domination," that "Most of these dispatches, if not all, were originally in cipher; they are to be found at length, and in Spanish, in the archives of Spain. Copies made in compliance with a resolution of the Legislature of the State of Louisiana, under the supervision of M. de Gayangos, a gentleman distinguished for his learning and literary works, and also under the direction of his excellency, Romulus Saunders, who was then the United States minister at Madrid, are deposited in the office of the secretary of state at Baton Rouge." Gayarre has most liberally quoted these documents from the latter official file, and presents to us, upon the pages of his history, an intensely-interesting account of the intrigues, from their inception to the end.

In the letter of the 8th of January, 1788, from Miro, Intendant of the province of Louisiana, to Valdes, secretary of state for the Indies, at Mad-

¹ Journal of 1806-7.

rid, his understanding of the relations of General Wilkinson are expressed in the following extracts: "The delivering up of Kentucky unto his majesty's hands, which is the main object to which Wilkinson has promised to devote himself entirely, would forever constitute this province a rampart for the protection of New Spain. The Western people would no longer have any inducement to emigrate, if they were put in possession of a free trade with us. This is the reason why this privilege should be granted to only a few individuals having influence among them, as is suggested in Wilkinson's memorial; because seeing the advantages bestowed on a few individuals, they might be easily persuaded to acquire the like, by becoming Spanish subjects."

On the 11th of April, 1788, Miro and Navarro, in a joint dispatch, informed the Spanish cabinet that they had received a communication from Wilkinson, in cipher, from which the following is quoted: ¹ "I have collected much European and American news, and have made various observations for our political designs. It would take a volume to contain all I have to communicate to you; but I dispatch this letter with such haste, and its fate is so uncertain, that I hope you will excuse me for not saying more until the arrival of my boats; and in the meantime I hope you will content yourself with this assurance. *All my predictions are verifying themselves, and not a measure is taken on both sides of the mountains which does not conspire to favor ours.*"

In the archives is a letter of Wilkinson's, written from Kentucky, to Miro and Navarro, of date May 15th, from which we quote: "*My dear and venerable Sirs:* I have for the second time the pleasure of addressing you, and I flatter myself that some time ago you received my first, which I sent by express in a pirogue with two oarsmen, and the answer to which I am continually expecting. Major Isaac Dunn, the bearer of this dispatch, and an old military companion of mine, came to settle in these parts during my absence. Permit me to recommend him as one worthy of your entire confidence, and as a safe and sagacious man, acquainted with the political state of the American Union, and with the circumstances of this section of the country. On the 1st of January next, 1789, by mutual consent, this district will cease to be subjected to the jurisdiction of Virginia. A convention has been called already to form the constitution of this section of the country, and I am persuaded that no action on the part of Congress will ever induce this people to abandon the plan which they have adopted, although I have intelligence that Congress will, without doubt, recognize us as a sovereign State.

"The convention of which I have spoken will meet in July. I will, in the meantime, inquire into the prevailing opinions, and shall be able to ascertain the sentiments of the members elected. When this is done, after having previously come to an understanding with two or three individuals

¹ Gayarre's History, p. 206

capable of assisting me, I shall disclose so much of our great scheme as may appear opportune, according to circumstances, and I have no doubt but that it will meet with a favorable reception, because, although I have been communicative with no more than two individuals, I have sounded many, and wherever it has seemed expedient to me to make known my answer to your memorial, it has caused the keenest satisfaction. Colonel Alexander Scott Bullitt and Harry Innes, our attorney-general, are the only individuals to whom I have entrusted our views, and, in case of any mishap befalling me before their accomplishment, you may, in perfect security, address yourselves to these gentlemen, whose political designs entirely agree with yours. Thus, as soon as the new government shall be organized and adopted by the people, they will proceed to elect a governor, members of the Legislature, and other officers, and I doubt not they will name a political agent with power to treat of the affair with which we are engaged, and I think this will all be done by the month of March next.

"I do not anticipate any obstacle from Congress, because, under the present Federal compact, that body can neither dispose of men nor money, and the new government, should it establish itself, will have to encounter difficulties which will keep it weak for three or four years, before the expiration of which I have good grounds to hope that we shall have completed our negotiations, and shall have become too strong to be subjected by any force that may be sent against us. The only fears I have proceed from the policy which may prevail in your court. I am afraid of a change in the present ministry, and in the administration of Louisiana."

¹The impressions made on the mind of Miro by these dispatches are set forth in the following observations, which he forwarded to the cabinet at Madrid, along with the letter of Wilkinson: "The flat-boats of Brigadier-General Wilkinson have just arrived with a cargo that cost seven thousand dollars in Kentucky, under the care of Major Dunn, who has delivered me the letter of which I forward a translation. It will make you acquainted with the State in which is the principal affair mentioned in my confidential dispatch, No. 13. This major confirms all Wilkinson's assertions, and gives it out as certain that next year, after the meeting of the first assemblies in which Kentucky will act as an independent State, she will separate entirely from the Federal Union. He further declares that he has come to this conclusion from having heard it expressed in various conversations among the most distinguished citizens of the State; that the direction of the current of the rivers which run in front of their dwellings points clearly to the power with which they ought to ally themselves. The said brigadier-general, in a private letter addressed to me, adds that he flatters himself with the prospect of being the delegate of his State to present to me the propositions which will be offered by his countrymen, and that he hopes to embrace me in April next.

"Although his candor and the information I have sought from many who have known him well seem to assure us that he is working in good earnest, yet I am aware that his intention may be to enrich himself at our expense by inflating us with hopes and promises which he knows to be vain. Nevertheless, I have determined to humor him on this occasion. As you have seen, Wilkinson had promised a volume of information when his flat-boats should come down. He has kept his word, and transmitted me various newspapers containing articles on the Mississippi, and a paper of his own, full of reflections on the new Federal Government, the establishments on the Ohio, and the navigation of the Mississippi."

¹Navarro, an able and gifted statesman, had preceded Miro as intendant of Louisiana. On retiring to return to Spain, in a last dispatch to Madrid, to be submitted as a memorial to the king, he seeks to portray, in strong colors, the situation in the province over which he had charge, and at the request of the minister of the department for the Indies. He represented that Spain must apprehend imminent danger from the thirteen American colonies which had recently become free and independent and had assumed rank among the nations of the earth, under the appellation of the United States of America. He dwelt with marked emphasis on the ambition and thirst of conquest which his keen eye could detect in the breast of the new-born giant, who, as he predicted with prophetic accuracy, would not rest satisfied until he had stretched his domains across the continent and bathed his vigorous young limbs in the placid waves of the Pacific. This ominous and dreaded event was only to be prevented by severing the Atlantic States from the boundless West, where so much power was only slumbering in the lap of the wilderness. To do this, Spain must grant every sort of commercial privileges to the masses in the Western region, *and shower pensions and honors on their leaders*. This memorial produced a powerful impression at Madrid, and confirmed the Government of Spain in the policy already begun.

²On the 3d of November, 1788, Miro wrote to Minister Valdes, at Madrid, as follows: "This affair proceeds more rapidly than I had presumed, and some considerable impetus is given to it by the answer of Congress to the application of Kentucky to be admitted into the Union as an independent State. That answer is, that the new Federal Government which is soon to go into operation will take their wishes into consideration, and will act thereon." This information Don Diego Gardoqui must have communicated, but he did not what follows:

"Oliver Pollock, a citizen of Philadelphia, who arrived here three days ago, in a vessel from Martinique, has declared to me that Brown, a member of Congress, who is a man of property in Kentucky, told him in confidence that, in the debates of that body on the question of the independence of that Territory, he saw clearly the intention of his colleagues was, that Ken-

¹ Gayarre's History, p. 217.

² Copy of Archives, filed at Baton Rouge.

tucky should remain under the jurisdiction of Congress, like the county of Illinois, and that a governor should be appointed by them for that province as for the other, but that, as this was opposed to the welfare of the inhabitants of Kentucky, he was determined to return home (which he did before Pollock's departure from Philadelphia), and, on his arrival, to call for a general assembly of his fellow-citizens, in order to proceed immediately to declare themselves independent, and to propose to Spain the opening of a commercial intercourse with reciprocal advantages; and that, to accomplish this object, he would send to Pollock the necessary documents, to be laid before me, and to be forwarded to your excellency. He requested Pollock to prepare me for it in anticipation.

"Your excellency will therefore rest assured that Brown, on his arrival in Kentucky, finding Wilkinson and his associates disposed to surrender themselves up to Spain, or at least to put themselves under her protection, will easily join them, and it is probable, as Wilkinson has already foretold it, that, next spring, I shall have to receive here a deputation appointed in due form.

"I acted toward Pollock with a great deal of caution, and answered him as one to whom had been communicated some new and unlooked-for information, giving him to understand that I could not pledge to him my support before seeing the documents which he expected."

¹On the 12th of February, 1789, Wilkinson again wrote at length to Governor Miro, asserting that he had, at that time, disclosed himself fully only to Innes and Colonel Bullitt; and having since made a stricter inquiry, discovered that the proposed new government of the United States had inspired some with apprehension, and others with hope, in which he foresaw some probable cause of opposition and delay. All idea of Kentucky subjecting herself to Spain must be abandoned for the present; the only feasible plan now was to effect a separation from the Union, and an alliance with Spain on terms to be negotiated. He had brought this question of separation before the people with earnestness and adroitness, speaking of it in general terms as having been recommended by eminent politicians of the Atlantic coast, with whom he had conversed on the affair: and thus, by indirect suggestions and arguments, he had inspired the people with his own views, without urging them as original with him. He found all the men of the first class of society in the district, with the exception of Marshall and Muter, decidedly in favor of separation, and afterward for an alliance with Spain. At first, these two objectors had expressed the same sentiments for separation, but their feelings had taken a different direction, from private motives of interest and from personal pique. He then determined to bring the question into the convention. From the same letter we quote:

"I was then occupied until the 28th of July, on which day our convention met at Danville, in conformity with the ordinance you saw in the *Gazette*

which I sent you by Major Dunn. The Hon. Samuel McDowell, president of the convention, had the day before received a package from the secretary of Congress, containing an account of the proceedings of that body on the subject, which excited our solicitude—that is, our intended separation from the State of Virginia.

“You will remember that, in my memorial, I was of opinion that the Atlantic States would not consent to the admission of this district into the Union, as an independent State, but, on my return from New Orleans, I was induced to alter my opinion, from the information which I received through persons of the highest authority, and under that new impression, I wrote you by Major Dunn. Thus we were not prepared for an unexpected event, of which we could have received no premonition. You will at first sight discover, on perusing the aforesaid paper No. 1, that this act of Congress was passed with the intention to gain time, amuse and deceive the people of this district, and make them believe that they could rely on the good dispositions of the Atlantic States, until the formation of the new government, when our opponents flatter themselves that it will be able to check our designs. Unfortunately, this artifice produced but too much effect on the members of this convention, and confirmed the apprehensions of others.

“From this proceeding of Congress, it resulted that the convention was of opinion that our proposed independence and separation from Virginia not being ratified, its mission and powers were at end, and we found ourselves in the alternative either of proceeding to declare our independence, or of waiting according to the recommendation of Congress. This was the state of affairs, when the Hon. Caleb Wallace, one of our supreme judges, the attorney-general, Innes, and Benjamin Sebastian, proposed a prompt separation from the American Union, and advocated with intrepidity the necessity of the measure. The artifice of Congress was exposed, its proceedings reprobated, the consequences of depending on a body whose interests were opposed to ours were depicted in the most vivid colors, and the strongest motives were set forth to justify the separation.

“Nevertheless, sir, when the question was finally taken, fear and folly prevailed against reason and judgment. It was thought safer and more convenient to adhere to the recommendation of Congress, and, in consequence, it was decided that the people be advised to elect a new convention, which should meet in the month of November, in conformity with the ordinance which you will find in the *Gazette*, No. 2.

“Some of my friends urged me to avail myself of this opportunity to revive the great question, but I thought it more judicious to indulge those who, for the moment, wish only that a new application be made for the independence and separation of Kentucky from Virginia, and that a memorial be made to Congress on the necessity of obtaining the free use of the navigation of the Mississippi. I assented to these last propositions the more

readily that it was unanimously resolved that, should any of them be rejected, then the people would be invited to adopt all the measures necessary to secure for themselves a separate government from that of the United States, because it would have become evident that Congress had neither the will nor the power to satisfy their hopes. I determined, therefore, to wait for the effects which will result from the disappointment of those hopes, and on which I rely to unite the country into one opinion. This is the basis on which the great question now rests, and the convention has adjourned to the next month.

“Thus, sir, if we review the policy favored by the inhabitants of Kentucky, we see that the most intelligent and the wealthiest relish our designs, which are opposed by only two men of rank, who, controlled by their fears of silly demagogues, and filling their followers with hopes from the expected action of the new Congress, have caused the suspension of the measures we had in view to unite the people, and thus to secure the success of our plans without involving the country in violent civil commotions.

“There are three conditions which are requisite to perpetuate the connection of this section of the country with the Atlantic States. The first, and most important, is the navigation of the Mississippi; the second, which is of equal consequence, is the admission of this district into the Union as an independent State, and on the same footing with the others; the third, which is of less moment, is the exemption from taxes until the befalling of the two events previously mentioned. Now, sir, as two of these conditions are inadmissible, either by the Atlantic States or by Spain, can any one hesitate to declare what will be the consequences? With due deference. I say, no; because, as it is not rational to suppose the voluntary casting away of property that another may profit by it, so it is not to be presumed that the Eastern States, which at present have the balance of power in their favor in the American Government, will consent to strip themselves of this advantage, and increase the weight of the Southern States, by acknowledging the independence of this district, and admitting it to be a member of the Federal Union. That the people of Kentucky, as soon as they are certain of their being refused what they claim, will separate from the United States is proclaimed, even by Marshall, Muter, and their more timid followers.

“But, sir, should unforeseen events produce results contrary to my wishes, to my logical deductions, and to my hopes, should an obstinate resistance to forming a connection with Spain, or should an unexpectedly hostile disposition manifest itself in the settlements, then the true policy would be to make of emigration the principal object to be obtained, and Spain would always have the power, through some agents of an eminent rank here, to draw to her the most respectable portion of the population of this district. Hundreds have applied to me on this subject, who are determined to follow my example, and I do not deceive myself, nor do I deceive you, sir, when I affirm that it is in my power to lead a large body of the

most opulent and most respectable of my fellow-citizens whither I shall go myself at their head; and I flatter myself that, after the dangers I have run and the sacrifices which I have made, after having put my honor and my life in your hands, you can have no doubts of my favorable dispositions toward the interests of his Catholic majesty, as long as my poor services shall be necessary.

"After having read these remarks, you will be surprised at being informed that lately I have, jointly with several gentlemen of this country, applied to Don Diego Gardoqui for a concession of land, in order to form a settlement upon the river Yazoo. The motive of this application is to procure a place of refuge for myself and my adherents, in case it should become necessary for us to retire from this country, in order to avoid the resentment of Congress. It is true that there is not, so far, the slightest appearance of it, but it is judicious to provide for all possible contingencies.

"The British Colonel Connelly, who is mentioned in General St. Clair's letter, arrived at Louisville in the beginning of October, having traveled from Detroit, through the woods, to the mouth of the river Big Miami, from which he came down the Ohio in a boat. My agent in Louisville gave me immediate information of that fact, and of the intention which Connelly had to visit me. Suspecting the nature of the negotiation he had on hand, I determined, in order to discover his secret views, to be beforehand with him, and to invite him here. Consequently, he came to my house on the 8th of November. I received him courteously, and as I manifested favorable dispositions toward the interests of his Britannic majesty, I soon gained his confidence, so much so that he informed me that Great Britain, desiring to assist the American settlers in the West, in their efforts to open the navigation of the Mississippi, would join them with ready zeal to dispossess Spain of Louisiana. He remarked that the forces in Canada were not sufficient to send detachments of them to us, but that Lord Dorchester would supply us with all the implements of war, and with money, clothing, and supplies to equip ten thousand men, if we wished to engage in that enterprise. He added that, as soon as our plan of operation should be agreed upon, these articles would be sent from Detroit, through Lake Erie, to the river Miami, and thence to the Wabash, to be transported to any designated point on the Ohio, and that a fleet of light vessels would be ready at Jamaica to take possession of the Balize, at the same time that we should make an attack from above. He assured me that he was authorized by Lord Dorchester to confer honors and other rewards on the men of influence who should enter on that enterprise, and that all those who were officers in the late continental army should be provided with the same grade in the service of Great Britain. He urged me much to favor his designs, offering me what rank and emoluments I might wish for, and telling me at the same time that he was empowered to grant commissions for the raising of two regiments, which he hoped to form in Kentucky.

"After having conversed with him, and found out all that I wished to know, I began to weaken his hopes by observing that the feelings of animosity engendered by the late revolution were so recent in the hearts of the Americans, that I considered it impossible to entice them into an alliance with Great Britain; that in this district, particularly in that part of it where the inhabitants had suffered so much from the barbarous hostilities of the Indians, which were attributed to British influence, the resentment of every individual was much more intense and implacable. In order to justify this opinion of mine, and induce him to go back, I employed a hunter, who feigned attempting his life. The pretext assumed by the hunter was the avenging of the death of his son, murdered by the Indians at the supposed instigation of the English. As I hold the commission of a civil judge, it was, of course, to be my duty to protect him against the pretended murderer, whom I caused to be arrested and held in custody. I availed myself of this circumstance to communicate to Connelly my fear of not being able to answer for the security of his person, and I expressed my doubts whether he could escape with life. It alarmed him so much that he begged me to give him an escort to conduct him out of our territory, which I readily assented to; and on the 20th of November he recrossed the Ohio upon his way back to Detroit. I did not dismiss him without having previously impressed upon him the propriety of informing me, in as short a time as possible, of the ultimate designs of Lord Dorchester. As this man was under the protection of the laws of nations, and as he carefully avoided to commit any offense against our government, I considered the measure I had resorted to as the most appropriate to destroy his hopes with regard to this country, and I think that the relation he will make on his return to Canada will produce the desired effect. But should the British be disposed to renew the same attempt, as it may very well turn out to be the case, I shall be ready to oppose and crush it in the bud.

"I deem it useless to mention to a gentleman well versed in political history that the great spring and prime mover in all negotiations is *money*. For these objects, I have advanced five thousand dollars out of my own funds, and half of this sum, applied opportunely, would attract Marshall and Muter on our side, but it is now impossible for me to disburse it."

General St. Clair, in a letter to Major Dunn, of date December 5th, says: "Dear Dunn, I am much grieved to hear that there are strong dispositions on the part of the people of Kentucky to break off their connections with the United States, and that our friend Wilkinson is at the head of this affair. Such a consummation would involve our country in the greatest difficulties and completely ruin it. Should there be any foundation for these reports, for God's sake make use of your influence to detach Wilkinson from that party."

Though Wilkinson promised no further dispatches until May, yet on the 14th of February, he again wrote to Miro, from which letter we quote:

1 "If you have felt some disquietude over the silence of the ministry on my memorial, and if you have nothing satisfactory from our dear friend Navarro, I think you should be satisfied, because it seems our plan has been eagerly accepted. Don Gardoqui has received ample powers to make proper arrangements in order to estrange our people from the Union, and induce them to form an alliance with Spain. I received this information first from Mr. Brown, congressman from this district, who, since our application for admission into the Union has been suspended, entered into some free communications on this matter with Gardoqui. He returned home in September, and, finding some opposition to our project, positively refused to advocate in public the propositions of Gardoqui, as he deemed them fatal to our cause. Brown is one of our deputies or agents; he is a young man of respectable talents, but timid, without experience, and with very little knowledge of the world. Nevertheless, as he perseveres in his adherence to our interests, we have sent him to the new Congress, apparently as our representative, but in reality as a spy on the actions of that body. I would myself have undertaken that charge, but I did not, for two reasons—first, my presence was necessary here; and next, I should have found myself under the obligation of swearing to support the new Government, *which in duty I am bound to oppose.*"

This lengthy supplemental dispatch closes with the pithy and facetious expression: "Herein enclosed (Doc. No. 3), you will find two *Gazettes*, which contain all the proceedings of our last convention. You will observe that the memorial to Congress was presented by me, and perhaps your first impression will be one of surprise that such a document should have issued from the pen of so good a Spaniard. But my policy is to justify in the eye of the world our meditated separation from the Union, and to quiet the apprehensions of some friends in the Atlantic States. Thus having publicly represented our rights and established our pretensions, if Congress does not support them, which it can not do, even if it had the inclination, not only will all the people of Kentucky, but also the whole world, approve our seeking protection from another quarter."

2 On the 11th of April, Miro forwarded the two very expressive dispatches of Wilkinson to Madrid, and the documents annexed to them. He shares Wilkinson's opinion that the independence of the Western people, under protection of and alliance with Spain, would be more to the interest of Spain than direct annexation to her dominions, on account of the responsibilities and expenses which such an acquisition would entail, and also on account of the jealousies and oppositions it would elicit from other powers. He urgently inquires of the cabinet what he shall do in case Kentucky declares her independence and sends delegates to him. He is unprepared to supply her people with ammunition, arms, and other implements they may need to

1 Copy of Spanish Archives, Baton Rouge.

2 Spanish Archives.

resist any action of the Federal Government, should it attempt to coerce them into submission. Said he further to the minister: "In paragraph B, you will find an account of the bold act which Wilkinson has ventured to take, in presenting his first memorial in a public convention. In this act, he has so completely bound himself that, should he not be able to obtain the separation of Kentucky from the Union, it has become impossible for him to live there, *unless he has suppressed, which is possible*, certain passages which might injure him. On account of the opposition of Marshall and Muter, the convention ordered new memorials to be presented to Virginia and to Congress, to obtain the independence of Kentucky, her admission into the Union, and the free navigation of the Mississippi."

Miro adds, that he disagreed with Wilkinson as to the solution of the first two questions, and expressed the opinion that their separation from Virginia and reception into the Union would be conceded to them; that the answer of Congress was not deceitful, because the right of Kentucky to what she claims is incontestable, and derived from the articles of confederation on which the United States established their first government. He thought, with Wilkinson, that it was a bad stroke of policy on the part of Spain to have granted the Kentuckians the navigation of the Mississippi, as it withdrew a motive of self-interest to become independent, and to rely on Spain.

It must not be supposed that the intrigues of the Spanish cabinet were devoted exclusively to Kentucky. They were busily and artfully applied in the Western district of North Carolina, now embraced in Tennessee, and in the territory between Upper Georgia and the Mississippi river.

¹ As early as 1786, the western portion of North Carolina, known as Washington district, had declared itself independent, and had constituted itself into the State of *Frankland*, organized its government, and elected Colonel John Sevier its first governor. The energetic assertion of authority by North Carolina, the interference of Congress, the arrest of Sevier on charge of treason, and his daring rescue from the court-room by his bold followers, and final escape, all followed promptly—and thus Frankland terminated its brief career in 1787. This first attempt in the West to throw off openly the allegiance due to the parent State had aroused intense excitement for and against it, and the secessionists, still persevering in their former designs, were watching for the opportunity to renew them. Thus, on the 12th of September, 1788, ex-Governor John Sevier had written to Gar-doqui, to inform him that the inhabitants of Frankland *were unanimous in their vehement desire to form an alliance and treaty of commerce with Spain, and put themselves under her protection*. Wherefore, he begged for ammunition, money, and whatever other assistance Miro could grant, to aid the execution of the contemplated separation from North Carolina, pledging the faith of the State of Frankland for the payment of whatever sums Spain

¹ Gayarre's History of Louisiana, p. 257.

might advance, and whatever expenses she might incur, in an enterprise which would secure to her such durable and important results. "Before concluding this communication," said Sevier, "it is necessary that I should mention that there can not be a moment more opportune than the present, to carry our plan into execution. North Carolina has refused to accept the new constitution proposed for the confederacy, and therefore a considerable time will elapse before she becomes a member of the Union, if that event ever happens."

The settlers on the Cumberland river, who were also under the jurisdiction of North Carolina, were deeply interested in the navigation of the Mississippi, and therefore were equally influenced by the motives which were operating so powerfully on the people of Kentucky and other portions of the West. The name of Miro, given to a district which they had lately formed, shows which way their partiality was leaning at that time.

Dr. James White was one of the most active agents employed by Gardoqui to operate on the Western people, and this individual had come to Louisiana to enter into an understanding with Miro on the execution of the mission with which he had been entrusted. In a communication which he addressed to Miro, on the 18th of April, 1789, he said: "With regard to Frankland, Don Diego Gardoqui gave me letters for the chief men of that district, with instructions to assure them that if they wished to put themselves under the protection of Spain and favor her interests, they should be protected in their civil and political government, in the form and manner most agreeable to them, on the following conditions: 'First—It should be absolutely necessary, not only in order to hold any office, but also any land, in Frankland, that an oath of allegiance be taken to his majesty, the object and purport of which should be to defend his government and faithful vassals on all occasions, and against all his enemies, whoever they might be. Second—That the inhabitants of that district should renounce all submission or allegiance whatever to any other sovereign or power.' They have eagerly accepted these conditions, and the Spanish minister has referred me to your favor, patronage, and assistance, to facilitate my operations. With regard to Cumberland district, what I have said of Frankland applies to it with equal force and truth."

This is enough for our Kentucky history, simply to convey an idea of the significance given to the Spanish policy of limiting the power and jurisdiction westward, by the Alleghany range. The most cherished aim was to bring under the provincial dominion of Spain all the territory south of the Ohio river to the Floridas, and west of the mountain divide: or, failing in this, to encourage and effect a separation of the inhabitants of the same from the old Union of thirteen States, and thereby erect a barrier between the Louisiana domain and the aggressive and conquering Americans. The opportunities could not have been more propitious and tempting. But two essentials were lacking to make of the expansive and alluring project a pos-

sibility. Spain, under the blighting curse of titled caste and of kingcraft and priestcraft, had already fallen into impassive stagnation, and political inanition rendered nerveless every arm of its power; while the Spaniard everywhere negotiated and intrigued in timid secrecy and cipher, as though sadly conscious of feebleness from departed vigor and prestige. The adventurous and bold Anglo-American instinctively saw and felt this self-conscious inferiority, and held his neighboring Hidalgo of chivalry at a discount that barely saved him from reserved contempt. Had England or France occupied the same vantage ground at the same period, the autonomy of the transmontane territories might have been very differently formulated, with very different jurisdictions. The people of Kentucky were too independent and warlike to have become provincial to any foreign power. It was within the limits of contingent probability that she might have become separately independent of the Federal Union. Had she done so under existing circumstances, it is quite inferable that, with her population of over two hundred thousand in 1800, under some powerful prompting or pretext, an army of her restless foresters would have floated down the Mississippi, and attempted the conquest and occupancy of New Orleans and Louisiana.

But as we stand off at the distance of a century, and review this remarkable episode of our early history, we gratefully acknowledge that the orderings of a wise Providence conspired to the final results which seem to have been the best. The failure of the present intrigues was becoming but too evident. We follow it to an early close. On the 5th of January, 1790, Sebastian addressed a letter to Wilkinson, urging, as this affair had taken up the greater portion of his time, that the Spanish Government should indemnify him, if it did not generously reward him. On principle, he professed to be as much attached to the interests of Louisiana as any one of the subjects of his Catholic majesty. This letter Wilkinson forwarded to Miro. About the 26th of January, a letter from Wilkinson to Miro was couched in less flattering tones. The grant of the navigation of the Mississippi had satisfied the people, and even left them with little desire or motive to emigrate to Louisiana. On his return home to Kentucky, he had found a great change even among the warmest friends. ¹ "I attribute this," said he, "either to the hope of promotion, or the fear of punishment. According to my prognostic, Washington has begun to operate on the chief heads of this district. Innes has been appointed a Federal judge; George Nicholas, district attorney; McDowell, son of the president of the convention, and Marshall, to offices resembling that of Alguazil mayor, and Peyton Short is made a court-house officer. I place little reliance on Nicholas and McDowell; but Innes is friendly to Spain and hostile to Congress, and I am authorized to say that he would much prefer receiving a pension from New Orleans than one from New York. I fear that we can rely on but few of our countrymen, if we can not make use of liberal means. Should the

¹ Spanish Archives. Gayarre's History, p. 275.

king approve our designs on this point, it will have to be broached with difficulty."

Relative to the convention to be held in June, he promises to attend, and, with the help of Sebastian and other friends, to do all in his power to promote the cause. He is strongly suspected by Congress, which spies his movements at every step. An open avowal of plans now to separate from the Union would endanger his personal security, and deprive him of the power of serving the interests of Spain. The situation was painful and mortifying, that, while abhorring all deceit, he was obliged to dissemble. This condition leads him to devise an opportunity to "publicly propose himself a vassal of his Catholic majesty, and contingently claim his protection."

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On the 22d of May, Miro rendered an account of his last transactions with Wilkinson, with the correspondence, in dispatches to Madrid. He agreed that the concessions of the right of navigation and trade to the Kentuckians had prejudiced the hopes of separation and alliance with Spain; yet he had not imagined that the effects would be so sudden. Wilkinson's hosts of influential followers had mysteriously vanished, excepting Sebastian. He considered that he was liable to be misled in his opinions of a man operating six hundred leagues away, and who had rendered, and was yet rendering, services to his majesty, as explained before. But now he is full of invincible obstacles and personal risks should he declare himself, and avails himself of the motive which he puts forth to cover his precipitation. Nevertheless, he thinks the said brigadier-general ought to be retained in the service of his majesty, with an annual pension of two thousand dollars, which he had already proposed in his confidential dispatch, No. 46, that he may communicate anything affecting the interest of the province, and may dissuade the Kentuckians from any evil designs against it. Miro further recommended a similar pension to Sebastian, "because I think it proper to treat this individual, who will be able to enlighten me on the conduct of Wilkinson, and on what we have to expect from the plans of the general." Thus, the code of corruption was complied with to its most-refined details. A spy was set to watch a spy, while both consented to play the part of dissembling conspirators against the Government toward which they were openly professing allegiance, thus bartering honor and good faith for Spanish gold.

A hiatus of four years of comparative quiet follows this subsidence of active intrigue and correspondence, at the end of which time renewed efforts were inaugurated with a boldness of conception and plan which seems in strange contrast with the desperation of hope and hazard on which they were based. In the midst of these last intrigues, with discomfiture to the conspirators, came the intelligence of the treaty between the United States and Spain, signed at Madrid, on the 20th of October, 1795.¹

¹ Monette's History of the Mississippi Valley

The principal agreed conditions of the treaty, which related to Louisiana, were as follows:

The *second* article stipulates that the future boundary between the United States and the Floridas shall be the thirty-first parallel of north latitude.

The *third* article, that each party, respectively, shall appoint one commissioner and one surveyor, and proceed thence *to run and mark* the said southern boundary of the United States.

The *fourth* article, that the middle of the Mississippi river shall be the western boundary of the United States, from its source to the intersection of the said line of demarcation. The king of Spain also negotiates that the whole width of said river, from its source to the sea, shall be free to the people of the United States.

The *fifth* article, that each party shall require and enforce peace and neutrality among the Indian tribes inhabiting their respective territories.

The king of Spain stipulates and agrees further to permit the people of the United States, for the term of three years, to use the port of New Orleans as a place of deposit for their produce and merchandise, to be removed at the end of the time named.

¹Although Spain suspended her restrictions upon the river trade after this treaty had been ratified, it was quite apparent that the king never intended to surrender the territory east of the Mississippi, and north of latitude thirty-one, provided any contingency should enable him to hold possession. He had been compelled, by the pressure of political embarrassment, both in Europe and in America, to yield a reluctant assent to the treaty, as the only means by which he could preserve the province of Louisiana from invasion, and conciliate the hostile feelings of the Western people of the United States. Spain, incited by France, had been upon the verge of a war with Great Britain, and already the British authorities in Canada had planned an invasion of Upper Louisiana, by way of the lakes and the Illinois river, whenever hostilities should be formally proclaimed. To prevent this invasion was an object to be gained by the treaty of Madrid, which would put the neutral territory of a friendly power in the path of invaders.

While the negotiations had been carried on between Spain and the United States, Baron de Carondelet had been striving to secure success to his favorite plan of separating the West from the rest of the Union. His chief agent, Power, had informed him that the same influential individuals in Kentucky, who had been in secret correspondence with Governor Miro, such as Wilkinson, Innes, Murray, Nicholas, etc., were disposed to renew their former relations with the Spanish Government, and that some of them would be ready to meet at the mouth of the Ohio any officer of rank that should be sent to them. In consequence of this communication, Carondelet chose for this delicate mission the governor of Natchez, Gayoso de Lemos, who proceeded to New Madrid, whence he despatched Power to make the pre-

¹ Monette's History of the Mississippi Valley

liminary arrangements for the interview with Sebastian, Innes, and their other associates. Power met Sebastian at Red Banks, near New Madrid. This individual told the Spanish emissary that Innes had been prevented by some family concerns from leaving home; that, as the courts of Kentucky were then in session, the absence of Nicholas, a lawyer in great practice, would excite suspicion; and that Murray,¹ having lately become an habitual drunkard, was unfit for any kind of business, and could not be trusted. This was a great disappointment for Power; but Sebastian went down with him to meet Gayoso, who, in the meantime, had employed the men of his escort in erecting a small stockade fort on the right bank of the river, opposite the mouth of the Ohio, in order to cause it to be believed that the construction of this fortification had been the object of his journey. Sebastian declared to Gayoso that he was authorized to treat in the name of Innes and Nicholas, but seems to have said nothing about Wilkinson. Gayoso proposed to him that they should together visit the Baron de Carondelet. This was assented to, and Power, Sebastian, and Gayoso departed for New Orleans, where they arrived early in January, 1796. In the beginning of the spring, Sebastian and Power sailed together for Philadelphia, no doubt on a mission for the Spanish governor. Power soon returned to Kentucky, and submitted to those whom he expected to seduce, the following document:

2“His excellency, the Baron de Carondelet, commander-in-chief and governor of his Catholic majesty's provinces of West Florida and Louisiana, having communications of importance, embracing the interests of said provinces, and at the same time deeply affecting those of Kentucky and of the Western country in general, to make to its inhabitants, through the medium of the influential characters in this country; and judging it, in the present uncertain and critical attitude of politics, highly imprudent and dangerous to lay them on paper, has expressly commissioned and authorized me to submit the following proposals to the consideration of Messrs. Sebastian, Nicholas, Innes, and Murray, and also of such other gentlemen as may be pointed out by them, and to receive from them their sentiments and determinations on the subject.

“First—The above-mentioned gentlemen are to exert all their influence in impressing, on the minds of the inhabitants of the Western country, a conviction of the necessity of their withdrawing and separating themselves from the Federal Union, and forming an independent government wholly unconnected with that of the Atlantic States. To prepare and dispose the people for such an event, it will be necessary that the most popular and eloquent writers in this State should, in well-timed publications, expose, in the most striking point of view, the inconveniences and disadvantages that a longer connection with, and dependence on, the Atlantic States, must inev-

¹ Martin's History, Vol. II., p. 126

² Spanish Archives. Gayarre's History of Louisiana, p. 359.

itably draw upon them; and the great and innumerable difficulties in which they will probably be entangled, if they do not speedily secede from the Union. The benefits they will certainly reap from a secession ought to be pointed out in the most forcible and powerful manner, and the danger of permitting the Federal troops to take possession of the posts on the Mississippi, and thus forming a cordon of fortified places around them, must be particularly expatiated upon. In consideration of the gentlemen devoting their time and talents to this object, his excellency, the Baron de Carondelet, will appropriate the sum of one hundred thousand dollars to their use, which shall be paid in drafts on the royal treasury at New Orleans, or, if more convenient, shall be conveyed, at the expense of his Catholic majesty, into this country, and held at their disposal. Moreover, should such persons as shall be instrumental in promoting the views of his Catholic majesty hold any public employment, and in consequence of taking an active part in endeavoring to effect a secession shall lose their employments, a compensation, equal at least to the emoluments of their respective offices, shall be made to them by his Catholic majesty, let their efforts be crowned with success, or terminate in disappointment.

“Second—Immediately after the declaration of independence, Fort Massac (opposite Paducah) shall be taken possession of by the troops of the new government, which shall be furnished by his Catholic majesty, without loss of time, with twenty field pieces, with their carriages and every necessary appendage, including powder, balls, etc., together with a number of small arms and ammunition sufficient to equip the troops that it shall be necessary to raise, the whole to be transported at his expense to the already-mentioned Fort Massac. His Catholic majesty will further supply the sum of one hundred thousand dollars for the raising and maintaining of said troops, which sum shall also be conveyed to and delivered at Fort Massac.

“Third—The northern boundary of his Catholic majesty’s provinces of East and West Florida shall be designated by a line commencing on the Mississippi, at the mouth of the river Yazoo, extending due west to the river Confederation, or Tombigbee.”

To facilitate acceptance of these tempting offers, Power, who had several interviews with Wilkinson, delivered to the latter ten thousand dollars, which had been carried up the Mississippi and Ohio, concealed in barrels of sugar and bags of coffee. Wilkinson had just been appointed major-general, in the place of Wayne, recently deceased, and Power was instructed to ascertain the force and temper of the army under his command, and report to Carondelet. The Spanish governor made an appeal, through Power, to the ambition, as well as cupidity, of this dangerous American Catiline in the following language: “The Western people are dissatisfied with the excise tax on whisky; Spain and France are irritated at the late treaty, which has bound so closely together the United States and England; the army is de-

voted to their talented and brilliant commander; it requires but firmness and resolution on your part to render the Western people free and happy. Can a man of your superior genius prefer a subordinate and contracted position as the commander of the small and insignificant army of the United States, to the glory of being the founder of an empire, the liberator of so many millions of his countrymen—the Washington of the West? Is not this splendid achievement to be easily accomplished? Have you not the confidence of your fellow-citizens, and principally of the Kentucky volunteers? Would not the people, at the slightest movement on your part, hail you as the chief of the new republic? Would not your reputation alone raise you an army which France and Spain would enable you to pay? The eyes of the world are fixed upon you. Be bold and prompt. Do not hesitate to grasp the golden opportunity of acquiring wealth, honors, and immortal fame.”

But all these allurements failed to produce their expected effects. Time, Washington’s administration, and a concourse of favorable circumstances had consolidated the Union; and Wilkinson and his associates, whatever might have been their secret aspirations, were too sagacious not to see what almost insuperable obstacles existed between the conception and execution of such dangerous schemes. Therefore, on his return to New Orleans, Power made to his Spanish employer an unfavorable report on what he had observed. Whatever might have been, at any previous time, the disposition of the people of Kentucky, they were now restfully satisfied with the General Government. Nor do these later disclosures impeach the loyalty and good faith of any Kentuckian, save Wilkinson and Sebastian.

We here close this dramatic episode of several and varied scenic representations of American history, throughout which Kentucky was made to play a part not less conspicuous and interesting than that of Spain herself. That our pioneer fathers held in their hands and at their disposal the future destiny of the United States, as far as the transmontane territory was involved, there can be little doubt. Had Kentucky withdrawn from the Union and set up an independent sovereignty at the time of the formation of the Federal Constitution, it is most probable that she would have carried with her all the territory north and south of her, and west of the Alleghanies. The General Government was then too embarrassed and enfeebled with the antagonisms of sentiment and policy among States and statesmen, with reference to the questions of limitation of sovereignty, Federal and state, to have offered an adequate resistance to a formidable movement toward separation and independency. Beneath all the irritation and complaint of the Kentuckians, there was enough of latent conservative good sense, and love of country and kind, to restrain them from the rash venture. Besides, there is little doubt but that the almost passionate affection of the great mass of the Kentuckians for the old mother Commonwealth, Virginia, had very much to do with her adherence to the Union, under the artful and insidious temptations

held out by foreign suitors. For two generations, the admiration and love of Virginia by her wandering children of the West was something beautiful and touching, and was more nearly akin to veneration than to patriotism. When Virginia, therefore, entered the Federal Union, filial Kentucky, like Ruth to Naomi, was ready to say: "Whither thou goest, I will go, and where thou lodgest, I will lodge; thy people shall be my people, and thy God my God."

Some interesting reminiscences followed the close of these dramatic proceedings.

¹ In 1811, General Wilkinson was tried before a court-martial assembled at Frederickstown, under specification of receiving pensions from Spanish officers and agents concerned in the provincial government of Louisiana, and undertook his own defense, pleading *not guilty*. After a protracted trial and voluminous proceedings, conducted for the accused with marked ability and spirit, the court decided him "not guilty." As in the case of Aaron Burr, this trial shows how difficult it is oftentimes, even with the cumulative testimony of years and the efforts of adroit counsel, to convict of treason or other political offenses, especially when the act has been done in sympathy with a sustaining current of popular sentiment. Wilkinson's speech in his own defense was a very masterly and adroit effort.

In the debates of the constitutional convention of 1849, Ben Hardin palliates the action of Sebastian in going to New Orleans for the purpose of negotiating with Carondelet, by asserting that he went under written commission signed by Messrs. Nicholas, Innes, and Murray, and that there was another similar, signed by nearly one hundred other good citizens of Kentucky, urging the mission. Hardin gave the text of this treaty as negotiated, but which was superseded by the one made by the Governments of Spain and the United States, and insisted that it was more liberal in its terms for the people of the West than the one adopted. Of course, he could not defend the course of Sebastian in accepting a pension from Spain.

² In the inquiry into the conduct of Judge Innes, then judge of the United States District Court in Kentucky, before Congress, a copy of the record of Sebastian's trial by the Kentucky Legislature was sent to be used as an exhibit against Innes; and from this we copy the joint answer of Nicholas and Innes, as made and sent to Baron Carondelet's proposition, through Thomas Power, for the severance of Kentucky from the Union:

"Sir: We have seen the communication made to you by Mr. Sebastian. In answer thereto, we declare unequivocally that we will not be concerned, directly or indirectly, in any attempt that may be made to separate the Western country from the United States; that whatever part we may at any time be induced to take in the politics of our country, her welfare will be our only inducement, and that we will never receive any pecuniary or other reward for any personal exertions made by us to promote that welfare."

¹ Wilkinson's Memoirs.

² American State Papers, Vol. XX., p. 929.

Hon. John Brown, in his testimony on the trial of Sebastian, disclaimed any knowledge of a pension from the Spanish Government to Sebastian or any one else, and declared that, so far as he had received any information about the matters in issue in the trial, he had given the same to the secretary of state, for the use of the president of the United States. Also, he declared substantially that, some time after, when Genet, the French commissioner, informed the deponent that he had in contemplation to raise an army mainly in Kentucky, for the conquest of Louisiana, he learned that one of the heads of departments was fully advised of this. He had no personal knowledge of Genet's issuing commissions or enlisting men, but received letters and communications in regard to these matters, the information in which he promptly gave to the secretary of state for the use of the president. There is no evidence to show that he was governed by any other than disinterested and patriotic motives.

We copy here a letter of President Madison to Mann Butler, Esq., as published in the appendix to the second edition of his history, vindicating Mr. Brown:

"MONTPELIER, October 11, 1834.—*Dear Sir:* I have received your letter of the 21st ult., in which you wish to obtain my recollection of what passed between Mr. Brown and me in 1788, on the overtures of Gardoqui, that if the people of Kentucky would erect themselves into an independent State, and appoint a proper person to negotiate with him, he had authority for that purpose, and would enter into an arrangement with them for the exportation of their produce to New Orleans.

"My recollection, with which reference to my manuscript papers accords, leaves no doubt that the overture was communicated to me by Mr. Brown. Nor can I doubt that, as stated by him, I expressed the opinion and apprehension that a knowledge of it in Kentucky might, in the excitement there, be mischievously employed. This view of the subject evidently resulted from the natural and known impatience of the people on the waters of the Mississippi, for a market for the products of their exuberant soil; from the distrust of the Federal policy, produced by the project for surrendering the use of that river for a term of years, and from a coincidence of the overture in point of time, with the plan on foot for consolidating the Union by arming it with new powers, an object, to embarrass and defeat which, the dismembering aims of Spain would not fail to make the most tempting sacrifices, and to spare no intrigues.

"I owe it to Mr. Brown, with whom I was in intimate friendship when we were associated in public life, to observe, that I always regarded him, while steadily attentive to the interests of his constituents, as duly impressed with the importance of the Union, and anxious for its prosperity. I pray you to accept with my respects my cordial salutations.

(Signed)

"JAMES MADISON.

"*Mann Butler, Esq.*"

The verdict of public sentiment being that Judge Muter was disqualified, from age and feebleness, for discharging the duties of judge of the Court of Appeals, a resolution was introduced into the House of Representatives expressive of the fact. Deeply affected, he requested their withdrawal, and intimated his intention to resign. The withdrawal was made, and the magnanimous and generous old man realized his intimation, in a letter addressed to the governor, on the 9th of December, tendering his resignation. This act of patriotic devotion is one that demands a pause of the pen, while the meed of praise is offered for the magnanimity of a sacrifice but too few men, in like conditions, would have made. In poverty, the venerable jurist and servant of the people, who had worn out the energies of life in the faithful discharge of public duties, resigned incontestable claims on the public treasury, thus throwing himself on the justice and generosity of the country at a period when the future opened up to him no other source of support. A pension was granted him by legislative act; but at the succeeding session, the members, deeming this an objectionable precedent, passed an act over the governor's veto, repealing the first. The vacancy created by the resignation of Judge Muter was filled by the appointment of Thomas Todd to the chief-justiceship.

At this period Henry Clay, the most gifted of American statesmen and orators, became actively prominent before the public in a political and professional career of peerless brilliancy and power. ¹Mr. Clay was born on the 12th of April, 1777, in Hanover county, Virginia. His father was a Baptist clergyman, of respectable note. He died in the fifth year of his son's age, leaving the future care of him to his mother. She appears to have been a woman of unusual worth, of marked intelligence, and masculine force of character. Though left with a large family to care for, as many a noble matron has been called to do, she managed the little estate left with such prudence, economy, and energy, as to rear her large family in comfort, and to afford the opportunities for her sons to assume stations of respectability and honor in life. The memory of her virtues and affection was ever after cherished with sacred regard by the Great Commoner.

The youthful years of Mr. Clay were spent in disciplinary experience, which, if it did not subject him to any ordeal of actual privation and want, yet admitted little opportunity for the temptations which allure and destroy the better manhood of so many young men. His sphere in boyhood was that of the workingman, but denied many of the facilities provided for the education and improvement of the workingman of to-day. It is most probable that this identification of his birth and early life with the great industrial masses, and this common experience which he shared with them, had a potential influence in establishing that sympathy toward the people which characterized him throughout his public career. For love to both races, he was among the first and boldest of the Southern born to advocate the eman-

cipation of slaves; and in this sentiment of policy and humanity, no man was more consistent during life. His measures of internal improvement, of modified tariff reform, and of other policies embraced in his American System, at the time more plausible and patriotic than they would be now, were meant to diffuse the benefits of government to the whole people. In this Mr. Clay's individuality was most marked.

Mr. Clay's opportunities for education were after the country methods of the day for the poor. The extent of his attainments in literature consisted of the common elements taught in a country school of the humblest origin. Even these slender advantages were but sparingly enjoyed, as he was compelled by straightened circumstances to devote considerable time to manual labor. It is most probable that this very circumstance of early familiarity with the stern realities of life contributed to give to his mind that strong practical bias, which has subsequently distinguished his career as a statesman; while there can be no doubt that the demands thus made upon his energies tended to a quick development of that unyielding strength of character which bears down all opposition, and stamps him as one of the most potential spirits of the age.

He was, at the age of fourteen, employed in the office of the clerk of the high court of chancery, at Richmond, Virginia. Won by his amiable deportment, uniform habits of industry, and striking displays of intelligence, Chancellor Wythe honored him first with his friendship, and afterward employed him as an amanuensis. Here he first conceived the idea of studying law.

In the year 1796, he went to reside with Robert Brooke, Esq., attorney-general of Virginia. While in the family of this gentleman, his opportunities for acquiring a knowledge of the profession to which he had determined to devote his life were greatly improved, and he appears to have cultivated them with exemplary assiduity. The year 1797 seems to have been devoted by Mr. Clay exclusively to the study of his profession. It is worthy of remark that this was the first year in which his necessities permitted him to pursue an uninterrupted system of study; and so eagerly did he avail himself of the privilege, and such was the ardor and vivacity of his mind, that near the close of the year he obtained from the Virginia Court of Appeals a license to practice. Of course, the acquisitions made in the science of law, in the course of these irregular and broken efforts to master that intricate and complex system, were somewhat desultory and crude; and it is not the least striking evidence of the wonderful resources of Mr. Clay's genius, that he was enabled, notwithstanding these disadvantages, to assume so early in life a high rank in his profession, at a bar distinguished for the number, ability, and profound erudition of its members.

Upon obtaining his license, Mr. Clay, then in the twenty-first year of his age, came to Lexington, Kentucky. He did not, however, immediately enter upon the duties of his profession, but spent several months in review-

ing his legal studies, and forming an acquaintance with the people. His appearance at this period is represented to have been that of a man in feeble health. Delicate in his person, slow and languid in all his movements, his whole air and bearing were pervaded by a lassitude, which gave no promise of that untiring energy which has since so singularly marked his extraordinary history.

When Mr. Clay entered upon the duties of his profession, the Lexington bar was noted for talent, numbering among its members some of the first lawyers that have best adorned the legal profession in America. He commenced the practice under circumstances somewhat discouraging, and, as appears from his own statement, with very moderate expectations. His earliest efforts, however, were attended with complete success. His reputation spread rapidly, and, to use his own language, he "immediately rushed into a lucrative practice." This unusual spectacle, so rare in the legal profession, is to be ascribed mainly to Mr. Clay's skill as an advocate. Gifted by nature with oratorical genius of a high order, his very youth increased that potent fascination which his splendid elocution and passionate eloquence threw over the public mind, and led the imagination a willing captive to its power. It was in the conduct of criminal causes, especially, that he achieved his greatest triumphs. The latitude customary and allowable to an advocate in the defense of his client, the surpassing interest of the questions at issue, presented an occasion and a field which never failed to elicit a blaze of genius, before which the public stood dazzled and fascinated.

When Mr. Clay first arrived in Kentucky, the contest between the old Federal and Democratic parties was violent and bitter. Any one acquainted with the ardent character of the Kentuckians at that period will not require to be told that neutrality in politics, even had Mr. Clay been disposed to pursue that equivocal line of conduct, was for him utterly out of the question, and would not have been tolerated for a moment. He accordingly united himself with the Jeffersonian or Democratic party, with whose principles his own sentiments entirely harmonized. He was prominent at a very early day among those who denounced the most obnoxious measures of the Adams administration, and was especially conspicuous for the energy, eloquence, and efficiency with which he opposed the alien and sedition laws.

In 1803, he was elected to represent the county of Fayette in the most numerous branch of the State Legislature. He was re-elected to that body at every session until 1806. The impression made upon his associates must have been of the most favorable character, since, in the latter year, he was elected to the Senate of the United States, to serve out the unexpired term of General Adair. He was elected for one session only.

During this session, Mr. Clay, as a member of the Senate, had occasion to investigate the extent of the power of Congress to promote internal improvements, and the result of his examination was a full conviction that the

subject was clearly within the competency of the General Government. These views he never after changed; and, profoundly impressed with the policy of promoting such works, he at the same session gave his cordial support to several measures of that character.

At the close of the session, Mr. Clay returned to Kentucky and resumed the practice of his profession. At the ensuing election, in August, he was returned as the representative from Fayette to the Legislature. When the Legislature assembled, he was elected speaker of the House. In this station, he was distinguished for the zeal, energy, and decision with which he discharged its duties. He continued a member of the Legislature until 1809, when he tendered his resignation, and was elected to the Senate of the United States for two years, to fill the vacancy occasioned by the resignation of Mr. Thruston. During his continuance in the Legislature, he had produced the deepest impression of his abilities, and won the warm regard and full confidence of his associates. How completely he had established himself in the favorable opinion of that body may be inferred from the fact that he was elected to the office of speaker by a vote of two-thirds. He retired accompanied by expressions of ardent admiration for his talents, high esteem for his services, and sincere regret for his loss.

The principal matters which came before the Senate during Mr. Clay's second term of service related to the policy of encouraging domestic manufactures, the law to reduce into possession and establish the authority of the United States over the territory between the Mississippi and Perdido rivers, comprehending the present States of Mississippi, Alabama, and Florida, and the question of a re-charter of the Bank of the United States. In the discussions which arose on each of these questions, Mr. Clay bore a conspicuous part, fully sustaining the high reputation for ability with which he entered the Senate.

His speech in favor of giving the preference to articles of American growth and manufacture, in providing supplies for the army and navy, was remarkable as being the first occasion in which he developed to the national Legislature those peculiar views in reference to the policy of building up a system of home industry which he had at an earlier day sought to impress on the legislation of Kentucky. Up to this period, this subject, which has since, and mainly through the instrumentality of Mr. Clay, become so prominent and exciting a question in American politics, had attracted little or no attention; and when the principle of protection and encouragement was at this session brought forward for the first time, and attempted to be embodied in legislative enactments, the resistance it encountered was violent, bitter, and determined.

His speech delivered at the same session on the "line of the Rio Perdido," in which he undertook to investigate and trace the title of the United States to the territory which comprises the present States of Mississippi, Alabama, and Florida, is a masterpiece of forensic oratory, distinguished for

the clearness of its statements and invincible cogency of its reasoning. The qualities of leadership were instinctively asserted, and conceded for lifetime.

At the session of 1810-11, the question of a re-charter of the Bank of the United States was brought before the Senate, and became the subject of a debate noted in our congressional history for its intemperate violence and splendid displays of eloquence. On this occasion, Mr. Clay was found opposed to the re-charter of the bank, and maintained his views in a speech of great ingenuity and power. He afterward, in 1816, saw reason to change his opinions, and since that time was firm in the support he rendered to such institution. The explanation of this alteration of opinion is in the peculiar views held by American statesmen at that day in reference to the construction of the Constitution. The vital subject of difference in principle between the old Federal and Democratic parties related to the interpretation of that instrument.

In 1808, Mr. Madison succeeded Mr. Jefferson to the presidency. General Charles Scott was elected governor of Kentucky, Gabriel Slaughter, lieutenant-governor, and Jesse Bledsoe appointed secretary of state.

From the governor's message to the General Assembly, we gather the following resume: ¹ Reference is made to the existing crisis as likely to call out the energies of the country, alluding to the foreign relations of the United States. Then it is suggested that the way to avoid *force* is to be in a situation to repel it. Represents the militia on parade days as appearing frequently with guns without locks; and, worse than this, with a mere apology for weapons. He then recommends the manufacture of arms among ourselves; and adverts to the requisition of fifty-five hundred, made by the president from this State, as her quota of one hundred thousand militia ordered to be held in readiness. Home manufactures, the standing topic, is touched on and recommended.

He adds: "It will be with you, gentlemen, to say whether from the present posture of our affairs and the privations I have noticed, it will not be just and politic to give debtors some respite by prolonging the time for replevy. The revenue is recommended to attention. The Senate is told that it is expected to assist the governor in *selecting* proper persons to fill public offices."

The foreign relations of the United States were becoming every year more strained and critical. The retaliatory laws of non-intercourse with Great Britain and France, in return for their continued blockade decrees, embargoes, and interruptions of American commerce, had kept alive a spirit of irritation, which was inflamed to the point almost of open rupture, by the attack of the English frigate *Leopard* on the United States war vessel *Chesapeake*. The intensity of feeling against Great Britain led all to become deeply engrossed in national politics. It was evident that it was but a question of time when this state of feeling would bring the issue of war.

¹ Marshall, Vol. II., p. 458.

An important act of this period was the charter of the Bank of Kentucky in 1807, with a capital of one million dollars. During the next year's session, the limitation in actions of ejectment was changed from twenty to seven years, where there was actual residence, and claim under adverse entry. This act mainly quieted litigation upon original conflicting claims. Humphrey Marshall was its author.

The census of 1810 showed Kentucky to be the seventh State in the Union in point of population, which aggregated four hundred and six thousand five hundred and eleven. Of these, there were three hundred and twenty-four thousand two hundred and thirty-seven whites, seventeen hundred and seventeen free colored, and eighty thousand five hundred and sixty-one slaves. This was an increase in ten years of eighty-four per cent. The slaves had increased over ninety-nine per cent.

On the 7th of November, 1811, the battle of Tippecanoe was fought in the northern part of the Territory of Indiana. General William H. Harrison, one of the most experienced and successful Indian fighters with regular troops that the country had produced, was in command of this military district. Tecumseh and his brother, the Prophet, were the leading spirits to incite to Indian hostilities, under the instigations of the British officials and agents. Tecumseh, the Shawanee chief, was the great leader in the war policy of the tribes. For some time he had been strenuously engaged in forming a grand confederacy of all the tribes, both north and south, for a concerted war on the whites, to exterminate them, or drive them eastward of the mountains again. At the time of the battle, he was on this mission among the Southern tribes, and, after visiting the Cherokees, Creeks, Choctaws, and Chickasaws, he crossed the Mississippi and pursued his route northwardly to the Des Moines, and thence returned to the Wabash, only to witness and deplore the ruin of his brother, the Prophet, and his followers. In his absence, General Harrison had forced the fighting, and at the doors of the wigwams of the savages. The issue was a decisive victory for the whites, and a signal and sanguinary defeat for the Indians under the Prophet. The army of Harrison was made up mostly of regulars, and only such Kentuckians as had volunteered their services were present to participate. Among the slain, who fell gallantly fighting in the front, were the distinguished Colonel Joseph Hamilton Daveiss, the prosecutor of Aaron Burr, and the dauntless Colonel Abraham Owen, of Shelby county, both worthy of honorable mention in Kentucky history.



THE PROPHET, ELS-KWAU-TA-WAW.

¹Colonel Abraham Owen immigrated from Virginia in 1785, and settled in Shelby county, where his father established a fort near Shelbyville. His first military service of which we have mention was with General Wilkinson, in his campaign on the White and Wabash rivers, in 1791. He was lieutenant in Captain Lemon's company in St. Clair's defeat, in which engagement he was twice wounded. He was also with Colonel Hardin in the campaign and action with the Indians on White river, in which the latter were routed. He commanded the first company raised in Shelby county, and was soon promoted to be a major, and then a colonel, taking an active part in defense at home and in campaigns abroad. He served with distinction as a spy in Wayne's campaign. No citizen rendered more willing and valued services as a neighbor and friend, and none was more respected and beloved among the people with whom he dwelt. He filled several local offices creditably, and soon after Wayne's victory was overwhelmingly elected to the Legislature.

In 1799, he was elected from his county a member of the convention to frame the second Constitution of the State, and shortly before his death, he was a senator in the General Assembly of Kentucky. No man in the county had a stronger hold on the affections of the people.

In 1811, he was the first to join General Harrison at Vincennes to resist the threatened hostilities by Tecumseh and the Prophet. He was chosen to be an aid-de-camp to Harrison, and fell at the side of his chief in the rage and midst of battle, bravely contributing to the victory he was destined not to witness. His death caused profound grief throughout the army and in Kentucky, where he was so well known. As a soldier, he was fearlessly brave, self-possessed, and firm; as a citizen, he was amiable and gentlemanly. He died thus, at the age of forty-two years, in the very prime of manhood, leaving a family of sons and daughters, who settled at Newcastle, where a number of the descendants yet live. Two of his sons, Colonel

Clark and James Owen, were pioneer settlers in Texas, and participants in the Texas war for independence. Colonel Clark Owen, an officer in a Texas regiment, was slain in the famous battle of Shiloh, in the late civil war. It is a notable fact that father and son, with chivalric spirit, voluntarily left endeared homes and families and fortunes, and became martyrs to a sense of duty they felt that they owed to their country and cause. Posterity can not forget such deeds of devotion, nor to venerate the memory of men deserving to be ranked among the heroes of our history.



COLONEL JOSEPH HAMILTON DAVES.

¹Of Colonel Joseph Hamilton Daveiss, much has already been said, in connection with his prosecution of Burr. He, too, was brought out from Virginia at the age of five by his parents, who settled near Danville in 1779. An incident is related of the mother on the trip through the wilderness, which may somewhat forecast the character of the son: In crossing the Cumberland river, Mrs. Daveiss was thrown from a spirited horse which she was riding and her arm broken. The party only halted long enough to bind up the limb with what rude skill they had, then pursued their route, Mrs. Daveiss again riding a horse and carrying her child in her lap before her. Young Daveiss passed through the usual privations of pioneer life, and received such educational advantages as the country afforded, and which he improved to his credit, evincing unusual talent. When but eighteen years of age, he volunteered to join Major Adair's command, to guard the transportation of provisions to the forts in Northern Ohio, in 1792. After his return from this service, he entered upon the study of law in the office of Judge George Nicholas, then considered the first lawyer in Kentucky. He entered a class of students composed of Isham Talbott, Jesse Bledsoe, William Garrard, Felix Grundy, William B. Blackburn, John Pope, William Stewart, and Thomas Dye Owings, all of whom became distinguished at the bar and in the public history of the country.

Daveiss pursued a course that rarely fails to develop the man of intellectual power and character. He was a laborious and indefatigable student, accustomed himself to repose on a hard bed, and at regular and prompt times, exercised by walking two or three hours a day, and sought seclusion in the hours of devoted study. In connection with his studies, he found time to read standard works of history and literature, so that when he came to the bar, his mind was richly stored with knowledge varied and profound, imparting a fertility and affluence to his resources, from which his fertile and well-trained mind drew supplies inexhaustible. On entering upon the practice of his profession at Danville, he rapidly accumulated business in all the courts on which he attended. In a few years, he removed to Frankfort, where he could more conveniently practice in both State and Federal courts, and in 1801, he argued the celebrated case of *Wilson vs. Mason* in the Supreme Court of the United States. He was the first Western lawyer who appeared as counsel in that court, and his rare learning and elocution are said to have made a profound impression.

In 1803, he was married to Anne Marshall, sister of the chief-justice of the United States. In 1809, he removed to Lexington, where he lived until his death. In the courts there and at the capital, for the two intervening years, there were but few very important cases in which he was not counsel for one side. In 1811, he volunteered to join the army of Harrison in the Wabash campaign, and on the 7th of November, in the battle of Tippecanoe, he fell in a charge against the Indians, made at his own solicitation.

¹ Collins, Vol. II., p. 154.

Colonel Daveiss was a man of commanding appearance, being near six feet high, with an athletic physique. His bearing was grave and dignified, and unusually impressive. He had few equals in oratory, and as a conversationalist he was unsurpassed. Such competent judges as Judge Boyle, John Pope, and Samuel McKee, frequent associates at the bar, said of him that he was the most impressive speaker they had ever heard, and these had listened to Henry Clay.

On the accession of General Harrison to the command of the North-west, General William Russell, of Kentucky, succeeded him in the Western territory. He was born in Culpeper county, Virginia, in 1758. His father was General William Russell, a distinguished officer of the Revolution. He was reared from early boyhood on the south-western frontier of Virginia, and at a very early age entered the service of the State as a volunteer. In 1774, he served on an expedition in Powell's Valley under Daniel Boone, and was constantly in service thereafter, acting as adjutant to Colonel William Campbell, at King's Mountain, Whitsell's Mill, and Guilford Courthouse. In 1783, he removed to Kentucky and settled in Fayette county at a place known for nearly a century as "Russell's Cave." He was soon found in the service of his adopted State, serving under Generals Scott, Wilkinson, and Wayne in their several campaigns against the Indians, in which he evinced great military talent. He was appointed by President Madison, in 1808, colonel of a regiment in the regular army. He participated in the battle of Tippecanoe, and when General Harrison was transferred to the command of the army in the North-west, Colonel Russell succeeded him in the command of the frontiers of Indiana, Illinois, and Missouri. He, with Governor Ninian Edwards, of Illinois, planned the expedition against the Peoria Indians, which proved an entire success. He rendered much service in civil life, representing Fayette county in the Virginia Legislature in 1789, and in the Kentucky Legislature thirteen sessions. His patriotism was life-long, and in private life his character was of the purest and most elevated type. He died at his home July 3, 1825, where his ashes still repose.

¹ At two o'clock in the morning of December 16, 1811, was felt the first destructive shock of the great earthquake on the Mississippi river and its shores, in the vicinity of Fulton county, Kentucky, and New Madrid, Missouri; the most disruptive and extensive in its effects ever known to occur in the United States. It spent its greatest force in South-west Kentucky, North-west Tennessee, and in Missouri, opposite.

After shaking the valley of the Mississippi to its center, and extending its vibrations all over the valley of the Ohio, to Pittsburgh and beyond, it passed the Alleghanies and their connecting mountain barriers, and died away along the shores of the Atlantic ocean.² During the continuance of

¹ Collins, Vol. II, p. 282. Letter of Dr. Lewis F. Linn.

² Letter, dated February 1, 1836, from Dr. Lewis F. Linn, United States senator from Missouri.

this appalling phenomenon—which commenced by distant rumbling sounds, succeeded by discharges as if a thousand pieces of artillery were suddenly exploded—the earth rocked *to and fro*; vast chasms opened, whence issued columns of water, sand, and coal, accompanied by hissing sounds, caused, perhaps, by the escape of pent-up steam; while ever and anon flashes of electricity gleamed through the troubled clouds of night, rendering the darkness doubly horrible. The current of the Mississippi was driven back upon its source with the greatest velocity for several hours, in consequence of an elevation of its bed. But this noble river was not thus to be stayed. Its accumulated waters came booming on, and, overtopping the barrier thus suddenly raised, carried everything before them with resistless power. Boats, then floating on the surface, shot down the declivity like an arrow from a bow, amid roaring billows, and the wildest commotion.

A few days' action of its powerful current sufficed to wear away every vestige of the barrier thus strangely interposed, and its waters moved on to the ocean. The day that succeeded this night of terror brought no solace in its dawn. Shock followed shock; a dense black cloud of vapor overshadowed the land, through which no struggling sunbeam found its way to cheer the desponding heart of man—who, in silent communion with himself, was compelled to acknowledge his weakness and dependence upon the everlasting God. Hills disappeared, and lakes were found in their stead; numerous lakes became elevated ground, over the surface of which vast heaps of sand were scattered in every direction; in many places the earth for miles was sunk below the general level of the surrounding country, without being covered with water—leaving an impression in miniature of a catastrophe much more important in its effects, which had preceded it ages before. One of the lakes formed is sixty or seventy miles in length, and from three to twenty in breadth; in some places very shallow, in others from fifty to one hundred feet deep, which is much more than the depth of the Mississippi river in that quarter. In sailing over its surface in a light canoe, the voyager is struck with astonishment at beholding the giant trees of the forest standing partially exposed amid a waste of waters, branchless and leafless.

In a keel-boat moored to a small island in the Mississippi river, about eighteen miles below the boundary line of Kentucky and Tennessee, the crew was frightened almost to helplessness by the first terrible convulsion. This was before two o'clock in the morning of December 16, 1811. At half-past two o'clock A. M., another, only less terrible, shock came on—a shock which made a chasm in the island four feet wide and over three hundred feet long. Twenty-seven shocks, all distinct and violent, were felt and counted before daylight. They continued every day until the 21st of December, with decreasing violence—indeed, they were repeated at intervals until in February, 1812. The center of the violence was ascertained to be about Island No. 14, twenty-two miles below New Madrid, Missouri, which

is opposite Fulton county. Kentucky, in the wide vicinity of which the traces of the frightful convulsion are yet frequent and marked.

A scientific English gentleman,¹ who happened to be upon the above keel-boat, became cool enough to record his observations. He noticed that the sound which was heard at the time of every shock always preceded the shock at least a second, originated in one point and went off in an opposite direction. And so he found that the shocks came from a little northward of east, and proceeded to the westward.

In the legislation of 1811-12, among others, bills were passed granting lands, at ten cents per acre, to aid in building iron and salt-works in Wayne and Pulaski counties; assenting on the part of Kentucky to the proposed amendment of the United States Constitution, depriving of citizenship any one accepting title of nobility or honor, or receiving presents or office from foreign emperor, king, or prince; requiring all State and judicial officers and attorneys at law to take an oath against duelling, or participating in a duel, or negotiating a challenge; granting lotteries—one to improve the Kentucky river, one to repair the road from Maysville to Washington, and another to build a church on the public square at Frankfort, for the free use of all sects or denominations.

The messages of Governor Shelby during the term following 1812 bear grateful testimony to the general internal prosperity of the State; severely animadvert on the insincerity and vacillation of Great Britain in effecting overtures for peaceful negotiations, while taking advantage of the delays to prosecute the war with more relentlessness, advising such measures as will render the militia forces most available for the demands upon Kentucky in the prosecution of the war; advise amendment and reform of the revenue laws; in 1814, recommend the appointment of a judge specially for the General Court; note the losses and delays sustained by the treasury by the failure of the judges to hold court at the regular terms; urge the repair of the penitentiary, and provision for the greater safety of the prisoners; that rooms be rented for the accommodation of some of the public officials, until the new state-house is finished, to replace the old one burned; and assure that the secret-service fund placed at the disposal of the governor remains unexpended, no occasion demanding its use.

¹ John Bradbury, *Travels in the Interior of America*, pp. 199-207.

CHAPTER XXIV.

(WAR OF 1812-15.)

Governor Shelby elected for a second term.

Congressional act to relieve Boone.

Loses all again.

Dies poor.

War with England again.

Causes.

Orders in council and decrees.

Once more allied with France.

One hundred thousand soldiers called for by the president.

Kentucky allotted five thousand five hundred.

Ten regiments volunteer.

Rendezvous at Cincinnati.

News of Hull's surrender.

The disaster.

General James Taylor and wife.

Hull court-martialed, and sentenced to be shot.

Wasted efforts.

All troops put under General Harrison.

Fort Wayne relieved.

Fort Harrison attacked.

Battle of Mississineway.

The country and weather impede operations.

Navy for Lake Erie.

Battle of Frenchtown.

Battle and massacre of River Raisin.

British cruelties and bad faith.

They pay the Indians for American scalps.

Ransom of prisoners forbidden.

Three thousand Kentuckians called for.

Governor Shelby commands.

Siege of Fort Meigs.

General Green Clay, with twelve hundred men, to relieve.

Colonel Dudley's unfortunate move and disaster.

Massacres in cold blood.

Tecumseh stops it.

More British cruelties.

Siege raised.

Colonel Johnson's mounted regiment.

Second siege of Fort Meigs.

Major Croghan's gallant defense of Fort Stephenson.

Great naval victory on Lake Erie.

How received.

General Harrison prepares to invade Canada.

Malden evacuated and burned.

Pursues the retreating British.

The victory of Thames river.

Charges of Colonel Johnson's mounted regiment.

Tecumseh slain.

Proctor's flight.

The battle-cry, "Remember Raisin!"

Tecumseh slain by Colonel Dick Johnson.

Tribute to Governor Shelby.

Power of the British shattered in the North-west.

Indian tribes desire peace.

General McArthur's expedition into Canada.

British invasion of the South-west.

Immense preparations.

Twenty-five hundred Kentuckians enlisted for New Orleans.

State of affairs in Louisiana.

Friends and traitors.

Sharp naval fight.

General Jackson proclaims martial law.

Address to the citizens.

First battle with General Kean.

Active work on the defenses.

First attack of Packenham on the 28th.

Second, on the 1st of January.

The great battle and victory of the 8th.

Defeat on the right bank.	Prejudice that misleads Jackson.
Two hundred Kentuckians, unsupported, driven back.	A court of inquiry.
Unjust aspersions of Patterson and Morgan.	Fort St. Philip bombarded.
	The British retreat, and abandon Louisiana.

In August, the favorite son of Kentucky, Isaac Shelby, was elected governor for the second time. Martin D. Hardin, son of Colonel John Hardin, treacherously murdered while on a peace mission to the Indians, was made the secretary of state.

During the session of the Legislature this year, a petition was presented by Daniel Boone, setting forth that all his lands which he had entered in Kentucky had been swallowed up and lost in the intricacies of the law and rival claims, and that, under the circumstances, he had migrated, in 1795, to the Spanish province of upper Louisiana, under promise by the governor of a grant of ten thousand acres of land in the district of St. Charles, on the Missouri river, the title to which was not completed, because it had to be done at New Orleans. On the cession of Louisiana to the United States, the commissioners appointed by the latter had been compelled to declare his claim null and void, and now "your memorialist was left once more, at about the age of eighty, to be a wanderer in the world, having no spot he can call his own whereon to lay his bones." An account of Boone's last years of life we have already given.

His last landed estate, donated by Congress, passed from his possession to pay a debt of reimbursement to a person in Kentucky to whom he had sold a tract of land there with a defective title, warranted by Boone. The purchaser lost his land at law, and the loss fell on Boone, taking from him a last time all the ground he had, "whereon to lay his bones."

Boone asserted that his lands in Kentucky had proved an injury to him, according to the rules of law. This led him to abandon the country he had called his "Paradise," in despair, and to declare, on the west side of the Mississippi, that he would never recross it again.

The interesting episode of the war of 1812-15 with England, though a topic for the history of the United States, involves also an important part of the history of Kentucky, whose soldiers played no inconsiderable part in its stirring events. The causes which led to this were long continued and various. Chagrin and resentment over her loss of the American colonies by the war for independence seemed to rankle in the bosom of the British since the enforced treaty of 1783, manifested mainly for years by the stubborn retention of the North-west posts, and the instigation by secret intrigues and bribes of the Indians to increasing hostilities against the frontiersmen, until the treaty at Greenville, by General Wayne, in 1795.

But new provocations occurred. England was the leading of the allied powers of Europe, in the convulsive wars of France, during the period of her revolution. Such had been our rapid progress in wealth and population.

that the United States was now second only to England of all the maritime powers of the world. Many English seamen sought service in American ships, mainly on account of higher wages. The contest upon the seas between England and France was very bitter, and the former had continued need to recruit her navy. Under color of seizing her own citizens, she enforced the claim to stop and search American ships upon the high seas. Going even farther than this, she repeatedly seized American citizens, on the plea that they were English, Scotch, or Irish. These outrages were the frequent occasions of complaint on the part of our Government, and of negotiations for redress, often unavailing or of long and tedious delay. Against remonstrance, protracted and bitter, the British Government refused to abandon the practice.

By orders in council and decrees on the part of Great Britain and France, respectively, the ports of both these kingdoms and all their dependencies were declared in a state of blockade. Any vessel bound to or sailing from a French port, therefore, without first visiting an English port and obtaining a license for the voyage, was made a lawful prize and subject to seizure and confiscation. The same was true of any vessel sailing to or from any English port under the French decree; but this did not so practically affect American rights, as France was not so great a rival on the seas, and from the friendly spirit of her people.

Both were mere paper blockades, as neither power could enforce them, and hence, contrary to the law of nations. Under her high-handed and haughty orders, one thousand American vessels and their cargoes were seized and confiscated. The irritations became intolerable, while the losses to Americans were almost equaling the cost of war. The result was a declaration of war against England in June, 1812, by the United States Government.

At last, circumstances forced a compliance on the part of our Government, with the stipulation of the former treaty, that it should go to war with England again whenever France did. America was now indirectly the ally of Napoleon, whose iron rule and desolating wars were the scourge of Europe. The French revolution, with all its excesses and atrocities, was held in aversion by the Federal party, the main strength and numbers of which were in the New England States. Here the religious spirit of the old Puritan element was yet conservative, and they regarded, with plausibility, the Jacobinism of France as opposed to religion, civil order, and morality. Thus the intelligence and wealth of a large portion of our own countrymen, as a choice of evils, were willing to further endure the insults and spoliation of the British, rather than acquiesce in a war that forced them to appear as the associates and allies of the monster, Napoleon. Against this formidable resistance at home, the second war with England was undertaken. The Democratic party, remembering only the friendly aid of France in the war of independence, with ardent gratitude and affection, and incredulous

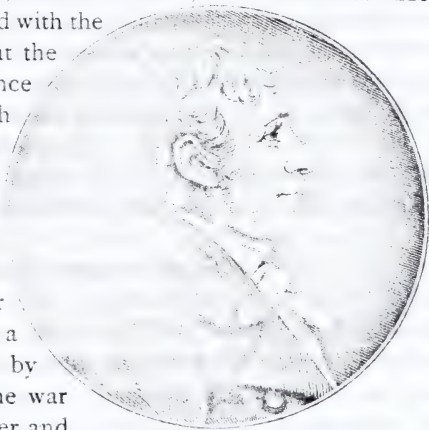
of the reports of misdeeds and misrule with which all Europe rang, urged upon the Government the necessity of a declaration of war, and, when it was proclaimed, hailed it with an ecstasy of joy which thrilled the country from the Hudson river to the Ocmulgee, and westward to the Mississippi. James Madison was President of the United States, and James Monroe, secretary of state.

Especially in Kentucky was the war sentiment strong. The Western people, with plausible justification, looked upon the continued hostilities of the savages, which had so harassed them for years, as but a treacherous and clandestine method of warring upon us by England, while she feigned peace under the treaty of 1783.

Congress had authorized the president to call out one hundred thousand of the militia, besides taking steps to increase the forces of the regular army. The portion required of Kentucky was fifty-five hundred men. The call was promptly and more than met. Seven thousand volunteers offered their services, and the Kentucky troops were organized into ten regiments. Those raised on the north side of the river, including the company of Captain William Kerley from the south side, four regiments under the command of Colonels Scott, Lewis, Allen, and Wells, were ordered to rendezvous at Georgetown, with General John Payne in chief command, which they did, two thousand in number.

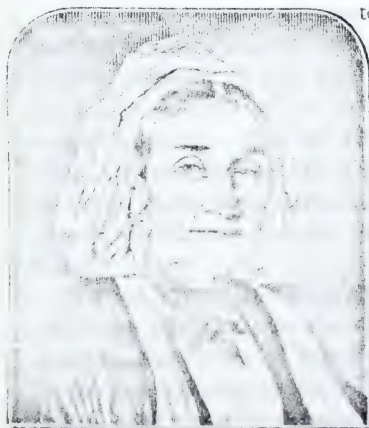
On the 19th of August, they marched for Cincinnati, on their way to join the army of General Hull, who, from his base at Detroit, had recently invaded Canada, and was expected soon to be in possession of Malden. On crossing the Ohio river, the first advices reached the army there of the humiliating and disgraceful surrender of General Hull and the United States army under his command, with the fort at Detroit and all the munitions of war which were in that portion of the North-west, to General Brock, with a force of British, Canadians, and Indians not much more than one-half his own. News of this event struck the country with the force of a thunderbolt from an unclouded sky. After a campaign of some months, and a demonstration on Fort Malden, which lay almost at his mercy, General Hull exhibited such a succession of blunderings and such incompetency as to forfeit the confidence of his officers and soldiers, and to lead them even to suspect treachery against the Government on his part. In the face of an inferior foe, he retreated to his base at Detroit, and on the British general, who seemed now to hold him in contempt, pursuing and assaulting him in his intrenchments, against the counsels of his subordinates, and without an organized defense, he basely surrendered all within his command, on the summons of General Brock, to the British authority. Colonels McArthur and Cass, Major Jessup, and General James Taylor, of Kentucky, indignantly refused to assist in drawing up the stipulations, or in arranging the terms of surrender. Officers and soldiers execrated the author of this humiliation upon them and their countrymen.

¹General James Taylor, the most prominent Kentuckian in this disastrous affair, was born April 19, 1769, at Midway, Caroline county, Virginia, the fifth of ten children. His father was Colonel James Taylor, an officer of the army of the Revolution, and his mother, Ann Hubbard. He visited Kentucky in 1793, and, pleased with the country and pioneer life, he settled at the village of Newport, where he at once engaged in laying out the town which his brother, Captain Hubbard Taylor, had before located. In 1795, he was married to the widow of Major David Leitch, at Lexington. Colonel Taylor was the first clerk of the Campbell county courts. He had a fondness for military life, and was commissioned a brigadier-general of the State militia by Governor Scott, in 1812. During the war just begun, he was made quartermaster and paymaster-general in the regular service, and served through the campaign with distinction. He was a man of marked energy and activity, and in politics an ardent Whig, and a warm personal and political friend of Henry Clay. He died at the age of seventy-nine years, in 1848, loved and honored. Four children survived him—Colonel James Taylor, Mrs. Horatio T. Harris, and Mrs. John W. Tibbatts, of Newport, and Mrs. George T. Williamson, of Cincinnati.



GENERAL JAMES TAYLOR.

Mrs. Keturah Leitch Taylor, the wife of General Taylor, was a typical pioneer woman. Her maiden name was Moss. The sisters, Keturah, Sally, and Ann, aged respectively eleven, fourteen, and ten years, bade farewell



MRS. KETURAH LEITCH TAYLOR

to family and home in Virginia and, under the escort of their uncle, Rev. Augustus Eastin, and party, made the long and perilous journey through the wilderness to Kentucky, in 1784. We have before mentioned the massacre of another party of immigrants within a short distance of their camp, to many of the horrors of which the girls were eyewitnesses. They saw the slain and mangled bodies, and the scalps dangling on the bushes, after the savages were driven off. These impressions Mrs. Taylor very vividly remembered through life, and especially a scalp of beautiful golden ringlets of some

maiden murdered. She passed the intervening years at Bryan's station and Leitch's station, in Campbell county, through every experience of pioneer life, until her marriage with General Taylor, in 1795. She had at times to find refuge from Indian barbarities in Fort Washington, on the site of Cincinnati, and under command of General Wilkinson. These early trials and hardships developed in Mrs. Taylor a character of energy, resolution, and strength which distinguished her life. In 1866, at the advanced age of ninety-three years, she died, in the midst of and lamented by her children, grandchildren, and great-grandchildren.

The effects of the ill-omened disaster were directly to be felt by Kentucky and the North-west. The fall of Detroit broke down the main barriers between the Indian tribes of the Wabash, the Miamis, and the lake shore, and the aggressive British land and naval forces.

General Hull returned, under parole, to his old residence in Massachusetts, and requested an investigation, before a court-martial, of the charges of treason and of cowardice. The verdict was that the charge of treason was not proven, but that the court found him guilty of cowardice, and sentenced him to be *shot to death*, but recommended him to the mercy of the president. The following order was then issued, "The rolls of the army are to be no longer disgraced by having upon them the name of General William Hull."

The war spirit blazed with even greater intensity in Kentucky, on this unfortunate opening of the first campaign of the war. They well knew that this success of the British would array the wily and treacherous Indians in allied hostility to the Americans, and greatly magnify the work of resistance. Little Turtle, the old friend of the whites, had but recently died, and the sway of Tecumseh was almost unbroken, and he was pronounced for war.

For nearly thirty years the nation had been at peace with the outer world, and the uninterrupted growth of the country had made its people essentially pacific, commercial and agricultural. The sudden precipitancy of a state of war produced much of confusion, and of aimless effort and activity in many directions. Two thousand Kentucky volunteers assembled at Louisville, half provisioned and equipped, were marshaled under the command of General Hopkins against the Indian towns of Northern Illinois. His command fell into disorder, and returned home without accomplishing anything.

The residue of the State forces, excepting the command of General Russell, were placed under the orders of General Harrison, who had been for some time governor of Indiana Territory, and who had acquired distinction in the management of Indian affairs, and especially by the victory of Tippecanoe. All the troops operating in Ohio and Indiana from other States were placed under his command, and large powers of military discretion given him. In the latter part of August he arrived in Cincinnati, and took charge

of the troops assembled there, issued orders for their practice in evolutions and drill, and got all in readiness for the northward march.

At Piqua, eighty miles north of Cincinnati, he learned of the investment of Fort Wayne by the Indians, and at once determined on the relief of the garrison. He sent forward as a spy a Shawanee half-blood, named Logan, who had been captured when a boy by General Logan, and reared to manhood in his family. He was quite prominent in his tribe, a warrior of note, and a warm friend of the whites. He performed his work faithfully and successfully, and returned with valuable information. He met in the Indian camp some red spies, who had been sent to watch and report on the condition of General Harrison's army, and who brought news that "*Kentuc was coming as numerous as the trees.*"

The army was now pushed forward to the besieged fort, marching in order of battle, but only to find an empty camp. The enemy had disappeared to safe retreats, to the infinite joy of the beleagured within. A village near the fort they had burned, as well as destroyed the crops in the fields adjacent. The fort was well prepared to resist a siege by Indians, as it had plenty of provisions and water, and about seventy men, with four small pieces of artillery, but would easily have surrendered to a re-enforcement of British with heavier ordnance, as was feared. The site was on the Maumee, just below the junction of the St. Mary's and St. Joseph's rivers.

One division of the army, under General Payne, was now sent to destroy the towns and crops of the Miamis upon the Wabash; and another, under Colonel Wells, to destroy those of the Potawatamies, on the Elkhart river, a branch of St. Joseph's. Both were successful, and without loss, for the Indians fled before them in every direction.

General Winchester, an officer of the Revolution, and advanced in years, now arrived to supersede General Harrison in chief command, much to the prejudice of the American cause, and much to the chagrin of the troops, whose partiality for Harrison was founded on his admirable merits. This was soon partially remedied, for on information of all the facts at the War Department, General Harrison was restored to the chief command, with discretionary powers.

Fort Harrison was in charge of Captain Zachary Taylor. In September, a body of neighboring Indians, men, women, and children, asked for admission into the fort to hold a council, and for food. Food was sent to them, but entrance was refused, as Captain Taylor suspected treachery. They loitered near for some days, and finally set fire to one of the block-houses at night. At the same time, a large body of warriors who had been lying in ambush fired into the fort over the ruins. The garrison repulsed them, with severe losses, while Captain Taylor, with great presence of mind, pulled down a cabin, and, with the materials, barricaded the opening. The Indians returned to the assault, and endeavored to fire the fort at other

points, but were defeated with loss, until driven off. Captain Taylor was complimented for his gallantry, and soon after breveted major. He had but fifty men against several hundred Indians.

Exasperated with the failure and chastisement at Fort Harrison, a party of these Indians made an irruption into the settlements on the Roost Fork of White river, and cruelly massacred over twenty of the settlers; a number of them women and children. They dashed out the brains of infant children against the trees, and the body of one delicately-conditioned woman, yet alive, was cut open, and her unborn infant thus brained.

In December, a body of six hundred dragoons, under Colonel Campbell, was sent by General Harrison against the Indians on the south of Lake Michigan, who were threatening to intercept and destroy supplies going by way of Fort Wayne, for the left wing of the army under General Winchester, and now at Maumee Rapids. At Mississiniway, they were attacked before day by a large force of Indians, and a severe battle of over an hour was fought. The Indians were defeated and dispersed with heavy loss, while the loss of the whites was fifty-six killed and wounded.

With the exception of these incidents, and of occasional skirmishing, deploying, and counter-marching, the campaign was carried on for months, almost barren of visible results. It had opened in the autumn, just preceding the almost invariable season of rainfall of November and December. Northern Ohio and Indiana were an unbroken succession of flat forest and plain, converted into swamps and mire in seasons, and made worse during winter by the alternate freezing and thawing. The levies from Western Virginia, Pennsylvania, Ohio, and Kentucky had sent forward to Harrison's command ten thousand men, not more than six thousand of whom, however, could be found in actual service at any time. The left wing of fifteen hundred troops was encamped at the Maumee Rapids, under General Winchester, and the main body of twenty-five hundred was held by General Harrison at Upper Sandusky. The remainder were distributed widely at various points where most needed.

It was the intention of General Harrison to concentrate the various detachments, and, by a *coup de main*, to capture Malden, the base of operations of the British and their savage allies. But so impassable was the entire country to transportation of artillery, of food, and other indispensable supplies, that this aim of the campaign, with other important features, was broken up.¹

At this termination of original plans, the general addressed a letter to the secretary of war, showing that the construction of a naval armament on Lake Erie sufficient to cope with, and perhaps overcome, the English forces by land and water, would probably be a less expensive and more certain method of retrieving the losses of Hull than to attempt the same altogether by land.

¹ McAfee, p. 183.

In January, 1813, intelligence was brought to General Winchester, at the Rapids, that a force of several hundred British and Indians were depredating upon and threatening to destroy the settlements of Frenchtown and vicinity, on the Raisin, some forty miles from the Rapids, and eighteen from Malden. He detached Colonels Lewis and Allen, with nearly seven hundred men, to that point. Colonel Lewis, on the route, received information that Colonel Elliott, in command of Malden, would largely re-enforce the Indians at the Raisin, with a view of attacking General Winchester in camp at the Rapids. Dispatching this news to his superior, Colonel Lewis pushed on to Frenchtown, in the hope of reaching there first. The town was approached in array for battle. Captain Bland Ballard led the advance guard. The right was commanded by Colonel Allen, and was composed of the companies of Captains McCracken, Bledsoe, and Matson; the left, of the companies of Hamilton, Williams, and Kelly, was led by Major Graves; and the center, made up of the companies of Hightower, Collier, and Seabee, was commanded by Major Madison.

The enemy, posted among the houses of the French inhabitants and the picketings of their gardens, were advanced upon gallantly by Majors Graves and Madison, and dislodged in the face of a heavy fire. Driven back on the right, they were received by Colonel Allen with a galling fire, and forced on the retreat for half a mile. Reforming behind some covering of brush and houses, they made a stand with small arms and a howitzer. The commands of Graves and Madison coming up on the enemy's left under shelter of the woods, the action became warm and general, the enemy retreating some two miles, until the darkness of night ended the contest. The American forces were of the Kentucky troops, and their losses were twelve killed and fifty-five wounded. The enemy's were put down at three times this number.¹

The news of this engagement created a deep sensation in the camp at the Rapids. Within eighteen miles of Malden, it was not doubted that the British commander there would make a formidable effort to re-enforce the defeated detachment, and to capture or drive back the force of Colonel Lewis. At once, General Winchester marched himself at the head of a detachment of two hundred and fifty men, all that could be spared from the fort. On the day after arrival, the 21st, a place suitable for a camp was selected, and it was determined to fortify it the day following. Late in the evening, a Frenchman came from Malden through the lines, and informed General Winchester that a large force of British and Indians, apparently three thousand, was nearly ready to march to the Raisin when he left. A fated incredulity prevailed, and no heed was given to this warning. Only Colonel Lewis and Major Madison seemed on the alert, cautioning their men to keep within the lines, and under cover of some houses and picketing they had sought. The January night was exceedingly cold, and no picket-

¹ McAfee, pp. 205-11.

guard was placed even on the road by which the enemy must approach the camp.

The night of the 21st passed quietly enough, and the reveille beat at daybreak; but a few minutes after, three guns fired in quick succession gave signal of the enemy's approach to the sentinels. The troops had barely time to form before a heavy fire was opened upon them from several pieces of artillery at the distance of three hundred yards. This was quickly followed by a charge from the British regulars, a general fire of small arms, and the Indian yell on the right and left. The surprise was complete, and all owing to the inexcusable negligence of the night before. As soon as the enemy came in range, a deadly fire from Colonel Lewis' camp repulsed them on the left and center; but on the right, the troops which had arrived with Winchester, entirely unprotected, were overpowered and driven back. General Winchester made strenuous efforts to rally them, but without success. While the British drove them in front, a large body of Indians flanked them on the right, and compelled a disordered retreat. Colonels Lewis and Allen came up, and endeavored to assist in rallying the men on the south side of the river, and behind some houses and garden pickets that offered shelter; but by this time the Indians had gained their left flank also, and a woods in their rear.

In their confusion and dismay they were soon at the mercy of the savages, who shot and tomahawked them in cold blood, regardless of all efforts to surrender. Over one hundred were butchered within a space one hundred yards square. Colonel Allen and Captain Simpson were of the slain, and so was Captain Mead, of the regular army. Scores of others on the retreat, worn down with the deep snow and intense cold, were overtaken, and tomahawked and scalped. General Winchester and Colonel Lewis, with some others, were captured at a bridge within less than a mile of the village, and carried to the British lines, where Proctor commanded. Majors Graves and Madison held their first ground with invincible firmness, baffling every attempt to dislodge them. Colonel Proctor, at ten o'clock, withdrew his men from under their deadly fire, to await the return of the Indians in pursuit of the other division of the army.

When General Winchester was brought to him as a prisoner, Colonel Proctor vehemently urged upon him to effect the immediate surrender of all his army, as this was the only way by which he could prevent an indiscriminate massacre of the men by the savages. Winchester did not know of the successful defense of Graves and Madison; and the approach of Major Overton with a flag of truce, accompanied by Colonel Proctor himself, was the first intelligence that these brave men had of the disaster to, and capture of, Winchester. Most intense was their chagrin when, instead of a truce to return and bury their dead, Major Overton presented an order from General Winchester, directing them to surrender their men prisoners of war. Major Madison answered that "it was the custom of the Indians

to massacre their prisoners, and that he would not agree to any terms of capitulation unless the safety and protection of his men were guaranteed." Colonel Proctor insolently asked, "Do you mean to dictate to me, sir?" "No," replied Madison, "I mean to dictate for myself, and to sell our lives as dearly as possible, rather than be massacred in cold blood." Proctor then stipulated that all private property should be respected, that sleds should be sent next morning to remove the sick and wounded to a safe retreat near Malden, and that in the meantime they should be protected by a guard.

Major Madison consulted with other officers, and finding the ammunition nearly exhausted, and half the original force already lost, with no chance of retreat, the terms were accepted. Before they gave up their arms the Indians came among them and began to plunder. Major Madison ordered his men to shoot or bayonet any Indian who came within the lines, which restrained them and saved the unwounded prisoners, who were marched at once to Malden. Colonel Proctor informed the American officers that his own wounded must be taken to Malden first, but that early in the morning theirs should also be removed, and that in the meantime they should be left under the protection of a guard.

As the British filed off, no semblance of a guard was left, except Major Reynolds and two or three interpreters. This was an ominous foreboding, and gloomy apprehensions depressed the helpless wounded. The body of the Indians went with the British some six miles out, on a promise of an orgy of reveling in honor of the victory, except a few stragglers who pillaged through the village at night. The sun arose next morning, but to light up the opening scene of a tragedy, the bloody atrocities of which even surpassed the horrors of the massacre of the previous day. At sunrise, some two hundred savages, insanely wild with the orgies of the last twenty-four hours, suddenly returned upon the unprotected town, painted black and red, and with frantic yells and menaces. They began plundering the private houses, and then broke into those where the wounded prisoners were lying, whom they cruelly abused and then mercilessly tomahawked to death. Captain Hickman was rudely dragged to the door, his brains dashed out with the tomahawk, and his body thrown back into the house. The houses of citizens Jerome and Godfrey, in which lay most of the suffering wounded, were assaulted and set on fire, and the most of the helpless inmates burned to death, mingling the dying cries of agonized torture with the horrid exultations of the British allies without. Many who were able to crawl to the windows, in the desperate hope of escape, were met at the openings and forced to yield up their lives to the ruthless tomahawk, or give themselves as victims to the pitiless flames. Some others who were not in these two houses were seized and brained, and their mangled bodies pitched into the consuming fire, or left upon the streets and highways. Majors Woolfolk and Graves, Captain Hart, and others of lesser rank were among the vic-

tims, some of whom were murdered on the way to Malden. Further details of the incidents of the tragedy would sicken the heart.

The fate of Captain Hart illustrated the perfidy of the British officers. Captain Elliott, of the latter, had become well acquainted with him in Kentucky. Captain Hart, inspector general, being wounded, appealed to his supposed friend to have him taken on to Malden the evening of the battle, uneasy at the prospect of being left to the mercy of the Indians. Captain Elliott assured him on the honor of a gentleman that he would be made safe, and that he would send his own conveyance for him next morning. Next day, after the bloody butchery of the prisoners began, Dr. Todd, surgeon, was bound and taken to Stony creek, where Captain Elliott was in camp with some British prisoners. Dr. Todd appealed to the former to send back to Frenchtown and try and save some of the wounded, especially Captain Hart. Elliott coldly and sneeringly replied that the Indians had by that time killed all the wounded they intended, and as to caring for Hart, that charity must begin at home, and when their own wounded were all removed, if any sleds remained, he would send them back. These are but incidents in the almost uniform and seemingly-designed brutality of the officers in command of the English forces, and show conclusively, that though they dared not give open orders for these barbarities, yet by their passive permission and acquiescence, they as plainly licensed and instigated the savages in their perpetration. It was in their power easily to have prevented the revolting deeds of their Indian allies, and to have humanely saved many wounded and prisoners from the pitiless tomahawk; but their conduct throughout shows that the savages had the silent sympathy of their approval.

The American army lost, in killed and massacred, two hundred and ninety men, and five hundred and ninety-two prisoners. Only thirty-three escaped to the Rapids. Of the British forces, Colonel Proctor reported one hundred and eighty-two killed and wounded. The Indians lost heavily, but there were no means of numbering their dead and wounded. Proctor crowded his prisoners in a small muddy wood-yard, in a heavy winter rain, without tents or blankets, and with scarcely fire enough to keep them alive. Not once did he mention the guard or sleds for the wounded, which he had pledged, though reminded of it by General Winchester; and to the solicitations for surgical aid, Captain Elliott, with a sneer, replied, that "the Indians were excellent surgeons." Some of the prisoners taken and held by the Indians were ransomed by friends or humane persons.

The British offered a stipulated price for all scalps the Indians would bring in. The prices paid the Indians in ransom for the living prisoners were far in excess of the royalty for scalps; hence, in a number of cases, the cupidity of the savages induced them to save alive the captives, rather than subject them to the tomahawk and scalping knife. Proctor learned of a number of instances of ransom, and, as if to crown his perfidious treachery

with an infamy of inhumanity, issued an order *forbidding individuals to ransom any more prisoners of the Indians*; and at the same time *leaving open the offer of a premium for the scalps of men, women, and children*, thereby seducing the Indians to the massacre, in cold blood, of their prisoners.

Proctor did not bury the dead, but left the bodies to be devoured by dogs and wolves.

There were many incidents of personal and special character, bearing testimony to the same spirit and conduct of the British officers toward the Americans, of which we have not space for historic mention. Colonel Proctor made his reports of the campaign and battle to the commander-in-chief, General Brock. Of the duplicity of his representations, some idea may be formed from the following extracts from the same:

"His excellency, the commander-in-chief, has the highest satisfaction in announcing to the troops under his command another brilliant action achieved by the division of the army at Detroit, under Colonel Proctor. * * * On this occasion, the gallantry of Colonel Proctor was most nobly displayed in *his humane and unwearied exertions, which succeeded in rescuing the vanquished from the revenge of the Indian warriors.*"

For these services and unmilitary barbarities, Colonel Proctor received of his approving superiors promotion to a brigadier-generalship.

The report of the massacre at the river Raisin spread a pall of unmitigated sorrow throughout Kentucky. The slain were of her best families, and there were few households that did not have cause to lament the loss of kindred, near or remote. When the full tidings of the bloody atrocities, planned and perpetrated in collusion by the red savages and guilty whites, went abroad, the sentiment of sorrow was divided with that of burning indignation and revenge.

¹The gallant old veteran, Shelby, had been again elected governor, to succeed Scott, and all thought now centered on him. By special resolution of the Legislature, he was requested to take command of a new levy of militia. He was authorized to call out three thousand men. On the 16th of February, Governor Shelby ordered this number to be drafted and organized into four regiments, under Colonels Boswell, Dudley, Cox, and Caldwell, and all placed under the command of General Green Clay. The two former rendezvoused at New-



GENERAL GREEN CLAY.

port, and from there promptly pushed on toward Fort Meigs, recently built at the Rapids.

General Green Clay was appointed to this command as well for his eminent services and experiences as from military precedence. Of Welsh ancestry, he was born in Virginia, in 1757, and after coming to Kentucky, he settled in Madison county, where he often witnessed and participated in those perils and sufferings to which its people were exposed. He was appointed deputy surveyor of Lincoln county in 1781, and was the first and only surveyor for a considerable time in the part of Kentucky where he first settled, and did nearly all of the surveying in that part of the country. In 1788, he was sent as a delegate from Madison county to the Virginia convention which ratified the Constitution of the United States. Above twenty years' service in the Legislatures of Virginia and Kentucky afforded him ample opportunity of acquiring a knowledge of the means calculated to promote the interests of Kentucky. As a legislator, he endeavored to augment the prosperity of the Commonwealth by economy in public expenditure, a multiplication of the means and institutions for education, an attention to the energetic organization of the militia, an equal and impartial administration of laws, and particularly of the criminal jurisprudence of the State. The molding influence of his mind is to be found in many of our early statutes. He was the author of the charter of the Bank of Kentucky, an institution which made its mark in the early history of the State. He was a member of the convention of 1799, which framed our second constitution, and its journal gives abundant evidence of his activity as a member of that body. He was speaker of the Senate of Kentucky in 1807. His thrift and enterprise, together with a remarkable acquaintance with the land laws of Virginia governing Kentucky titles, enabled him to accumulate a large estate. After a long and eventful life, he died in 1826. To his sons, Cassius M. and Brutus Clay, was imparted much of that intellectual and will power which gave great force of character and influence to their distinguished father.

Early in April, information was had that Colonel Proctor was preparing for an attack on and investment of Fort Meigs, where were now collected very large and important military supplies of inestimable value to the Americans. Tecumseh and his brother, the Prophet, soon reached Malden with six hundred warriors to join in the campaign. On the 28th, the British and their Indian allies appeared in view. Landing and mounting their artillery on the opposite side of the river, at the old fort, the boats next carried the Indians across to the east side, and by these Fort Meigs was invested, amid their war-whoops and hideous yells. The enemy's mode of attack being now defined, on both sides the work of strengthening the respective positions was vigorously prosecuted until May 1st, when the artillery duel opened briskly. But little execution was done, after two days' bombardment. On the 3d, a concealed battery was opened on the fort from the bushes on the

left, and on the same side of the river with Fort Meigs. This was soon silenced by an effective fire from the fort.

On the 4th of May, Major Trimble reached Meigs in a barge with fifteen men, and brought intelligence that General Green Clay was at Fort Defiance, with a detachment of twelve hundred Kentuckians. Captain Leslie Combs had attempted this dangerous venture the day previous in a canoe, but was fired on by the Indians within a mile of Meigs, and driven back, with most of his men killed. General Harrison at once sent orders to Clay, by Captain Hamilton, to descend and land eight hundred men upon the northern shore, opposite the fort, and carry the British batteries, and spike the cannon, and then regain their boats and cross over. The residue of his forces he should land upon the south bank, and with them to fight through the Indians into the fort.

All was propitious for the execution of this order, but unhappily the men and officers to execute it were mainly raw militia, with enthusiasm and courage to rashness, but of little drill and discipline. The batteries were lightly guarded, the larger part of the British troops being at the camp two miles below, and the river dividing all these from the Indians camped around the fort. Colonel Dudley was instructed to land about eight hundred men from the first twelve boats, on the northern shore, and storm the batteries, which was done handsomely and quickly; but instead of crossing over in the boats to the south side and taking shelter in the fort, as Harrison had ordered, the raw and impetuous Kentuckians were drawn off by some decoy parties of Canadians and Indians, who fired on them, and then retreated to the woods. Pursuing these one or two miles, they were flanked and cut off by the British troops, who were hurried forward from their camp two miles below, immediately on learning of the arrival of General Clay's supports. Colonel Dudley was lost sight of, and there seemed to be no specific commands from him. In the first confusion, General Harrison, standing in the fort with spyglass in hand, had called to Dudley and his men to come across the river at once, but his call was unheard or unheeded. The Indians were re-enforced also, and the Kentuckians were at the mercy of the enemy, in small and disordered detachments. Colonel Dudley himself was wounded and overtaken, and dispatched with the tomahawk. Of all his detachment, less than two hundred escaped and got safely into the fort.

The prisoners were taken down to headquarters, and put into old Fort Miami, where the Indians were permitted to fire indiscriminately into them from the ramparts. Others went in and selected victims, led them to the gateway, and there, under the eye of General Proctor and the whole British army, tomahawked and scalped them. About twenty had been massacred thus without a word of interference from Proctor, when Tecumseh galloped down from the batteries, and drawing his sword, indignantly ordered them, "for shame to desist. It is a disgrace to kill a defenseless prisoner." The

red barbarian thus in mercy brought that relief from atrocious murder which had been denied by the white savage in the very sight and presence of the mangled and expiring victims. The prisoners were, several hundred of them, stowed away in the hold of the brig Hunter for two days, suffering the horrors of stifling, akin to those of the English prisoners in the "Black Hole of Calcutta," in the hands of their Sepoy captors, until liberated upon parole at the mouth of Huron river.

Here we leave Dudley and go over to General Clay, with his remaining troops. Six boats contained all the remainder of the brigade after Dudley had left it with his detachment of men. In the foremost boat, near the shore on which Fort Meigs was situated, Clay was seen approaching the fort, assailed by a host of savages. He landed, and fought his way to the fort with about five hundred men. General Harrison now ordered a sortie, under Colonel Miller and Major Todd, of the regulars, against the batteries which had been planted in the brush on the south side, the battalion numbering three hundred and fifty men. They charged on the enemy, numbering eight hundred British, Canadians, and Indians, drove them back with severe loss, spiked the cannon, and brought back forty-one prisoners, notwithstanding they were outnumbered more than two to one.

The combined forces under Proctor in this affair of the 5th were thirty-two hundred men; those of Harrison, including Clay's brigade, twenty-five hundred. Upon the whole, it was a day of disaster to the Americans, but barren of the fruits of victory to the British.

Proctor, in the evening, demanded the surrender of Fort Meigs, which was treated with derision. It was done to cover his retreat. Learning by a messenger of the capture of Fort George by the Americans, and having the cannon at his batteries spiked, he became alarmed at his jeopardized position. The Indians were chagrined and dissatisfied, and began deserting to their villages in serious numbers. On the night of the 8th, he abandoned his camp, and retreated back to Malden. The killed, wounded, and prisoners of the Americans, in the series of engagements of the day, were near one thousand. Those of the British and allies, not exceeding five hundred. There were opportunities of a splendid victory, and the total rout or capture of the opposing army, in the plans and orders of the commanding general; but all these were marplotted and destroyed by the disorderly disregard of all authority and discipline on the part of Colonel Dudley and the raw Kentuckians at the first assault on the enemy's batteries. The old pioneer veterans of Kentucky were passing from the theater of military action; their sons who filled their places in the armies were just as brave and impetuous in battle as they, but lacked that wary discretion which only experience gives. General Harrison courteously rebuked the fatal imprudence which led to disaster, in the following words: "It rarely occurs that a general has to complain of the excessive ardor of his men, yet such appears always to be the case when Kentucky militia are engaged. It is indeed the source of

all their misfortunes; they appear to think that valor alone can accomplish everything."

To this date of the war, the cowardly and imbecile surrender of Detroit by Hull, the unmilitary negligence of Winchester, and the rash and reckless indiscretions of Dudley and his subordinates, had sacrificed five thousand as brave men as ever bore arms upon a field of battle. In any one of the three engagements, the direction of the troops by competent commanders and the observance of the plainest laws of military experience should have extorted victory, instead of disaster, from the wage of battle. The rank and file had now the plainest demonstrations that the unbridled willfulness and license of raw novices might be as fatal to the efficiency of the army in the presence of a wily enemy, as the stereotyped martinetism of the old fossil element of the regulars. Armies and nations, like individuals, are usually too inapt and stupid to learn by any experiences except their own, and then often too late to profit by their lessons. From this time forward, the regulars had learned better the art of fighting Indians, and the militia the necessity of military drill and discipline.

On the adjournment of Congress, Colonel Richard M. Johnson, then a member, returned home and proceeded to raise a regiment of mounted Kentuckians, to join the forces of General Harrison. This was speedily accomplished, with Lieutenant-Colonel James Johnson, and Majors Duval Payne and David Thompson next in command. At the heads of the companies were Captains R. B. McAfee, Richard Watson, Jacob Elliston, Benjamin Warfield, John Payne, Elijah Craig, Jacob Stucker, James Davidson, S. R. Combs, W. M. Rice, and James Coleman. During June and July these troops were employed in almost continuous campaign expeditions against the Indian towns in the North-west, but with comparatively fruitless effect, as the Indians had mainly joined Proctor at Malden, with their women and children, where they were fed and cared for.

After the siege of Fort Meigs was raised by the coming of Clay, Harrison left the place, and Clay was put in command of the fort. While Clay and his troops were engaged in garrisoning Fort Meigs, on the 20th of July, that place was again menaced with an attack of the combined British and Indian armies, but the firm bearing exhibited by the garrison prevented a second attempt to storm the fort.

Major Croghan, a young Kentuckian of twenty-one years, and a nephew of General George Rogers Clark, held Fort Stephenson at Sandusky, with about one hundred and sixty men, and one six-pounder. On the 2d of August, General Proctor, with five hundred British regulars and eight hundred Indians, besieged the fort, and after a bombardment from several pieces of artillery, attempted an assault. They were met with a deadly fire of small arms and the single piece of artillery, and repulsed and routed with a loss of one hundred and fifty killed and wounded. Major Croghan lost but one killed and seven wounded. This brilliant victory was unexpected,

even by General Harrison himself, as he had sent orders to Croghan to abandon the fort and retreat, if possible, on the appearance of the enemy in force.

¹ At the suggestion of General Harrison, the Government had, early in the spring, ordered the construction and equipment of a fleet of vessels of sufficient numbers and strength to cope with that of the British, and to co-operate with the land forces. The port of Erie was the point selected for this important work, and was well fortified and protected against attack by the British naval forces, during its progress. The English, in the meantime, repaired and increased their navy with the construction of one large new brig at Malden, then Detroit. Commodore Perry was appointed to take command of the American fleet, which was completed, and the ships buoyed over the bar into the deep waters of the lake, by the 4th of August, and in sight of the British vessels, which lay at a distance in full view. The latter soon after weighed anchor and sailed for Malden. Commodore Perry sailed for Sandusky bay, and from thence appeared before the harbor of Malden to offer battle, if the enemy desired. Failing to draw him out, he retired to Put-in-Bay, to watch the sailing of the British fleet under Commodore Barclay.

General Harrison had received the sanction and authority of the Government to call for more forces to undertake a campaign against Malden, by the 20th of July. On the 30th, his letter reached Governor Shelby asking for not less than four hundred nor more than two thousand volunteers, to be furnished at the earliest possible day. On the 31st, the patriotic and gallant old governor issued the call for as many as would respond to rendezvous at Newport on the 31st of August. Said he: "I will meet you there in person. I will lead you to the field of battle, and share with you the dangers and honors of the campaign." On the day appointed, thirty-five hundred Kentuckians met the governor at the rendezvous, and on September 12th they had reached the camp at Upper Sandusky, ready for the campaign. The troops were formed into eleven regiments, commanded respectively by Colonels Trotter, Donaldson, Poague, Montjoy, Rennick, Davenport, Taul, Calloway, Sinrall, Barbour, and Williams, and these regiments into five brigades, under the lead of Generals Calmes, Chiles, King, Allen, and Caldwell. The whole was in two divisions, at the head of which were Major-Generals William Henry and Joseph Desha.

Colonel Richard M. Johnson's regiment of dragoons was now swollen to twelve hundred men, and had been put into an efficiency of drill and exercise by the indefatigable attentions of its lieutenant-colonel, James Johnson. The men were daily taught the special art of fighting Indians by charging through their lines and forming in their rear, and by outflanking them. Frequent sham battles had even taught their horses to charge through the lines of infantry in the midst of musketry fire, without halting or shying.

"The 9th of September," says McAfee, who was present as captain of a company, "was appointed by the president for fasting, humiliation, and prayer. Throughout the camp, many groups of soldiers could be seen paying their devotions to God, and chanting His praises with simple zeal and sincerity, while the less pious preserved the strictest order and decorum. The author could not but feel a deep reverence, approaching a complete reliance, that the special protection of Heaven would be enjoyed by the American army while fighting in the sacred cause of justice and humanity."

General Harrison had detailed the company of Captain Stockton, and about twenty men from the company of Captain Payne, all Kentucky volunteers, as marines and sharpshooters, on board the fleet of Commodore Perry, in all about one hundred men. The two fleets equipped and manned, and now contestants for the supremacy of Lake Erie, were in daily expectation of an engagement that would be decisive for the nationality of the one country or the other. The respective naval armaments opposed to each other were as follows: The American fleet was composed of brigs Lawrence, Niagara, and Caledonia, forty-three guns; schooners Ariel, Scorpion, Tigress, Somers, and Porcupine, twelve guns; and sloop Trippe, one gun; total, fifty-six guns. The British fleet of the ships Detroit and Queen Charlotte, thirty-nine guns; brig Hunter, ten guns; schooners Provost and Chippeway, seventeen guns; and sloop Little Belt, three guns; total, sixty-nine guns. On the 12th, General Harrison dispatched from Seneca to Governor Shelby, a duplicate of the celebrated laconic note of Commodore Perry as received by him:

"UNITED STATES BRIG NIAGARA, September 10, 1813.—*Dear General:* We have met the enemy and they are ours—two ships, two brigs, one schooner, and a sloop.

Yours,

OLIVER HAZARD PERRY."

Not a vessel of the British had escaped; and the shock of unexpected defeat came to them with the forebodings of a change in the fortunes of war now at hand. The electrifying news was received by the divisions of the American army at Seneca and Sandusky with tumultuous joy. As it was borne from post to station down to Cincinnati, and across to Kentucky, the people took up the refrain, and echoed and re-echoed the glad tidings throughout the land. Minuter description of this great naval battle we leave for the pages of American history, where it properly belongs.

General Harrison at once made all preparation to invade Canada. On the 27th of September, the whole army, embarked on the now ample fleet of Commodore Perry, was landed four miles below Malden, in array of battle, as it was expected that General Proctor would aim to meet it at once with his equal army of British and savage allies. Advancing in sight of Malden, the Americans found it but a mass of smoking ruins. The British had burned the fort and navy yard, and retreated up the rivers Detroit and Thames. General Harrison at once followed as far as Sandwich and camped.

Major Chas. S. Todd was sent across the river to intercept the mounted regiment of Colonel Johnson, and to order it over with the main body.¹

A consultation of generals determined on a vigorous pursuit of Proctor, and to force him to battle. Following the retreating army up the valleys of the two rivers for several days, with occasional skirmishing, and the capture of some boats and stores, Proctor was finally brought to bay at a point on the river Thames near the Moravian town, and eighty miles above Sandwich. On the morning of the 5th of October, information was had that the British army were in line of battle but a short distance ahead. The British regulars were formed in two lines, with their left on the river, and their right extending to a swamp some three hundred yards distant from the river. Beyond the swamp the Indians formed the right wing under the immediate command of Tecumseh, their lines stretching across an isthmus of dry ground, to another swamp some hundreds of yards from the first. With the forest of trees and some undergrowth, the position was a strong one. The British regulars were between eight and nine hundred, and their savage allies near two thousand. The American forces had been much reduced by detachments left to garrison and guard the posts, the property and horses, and the defenseless in the rear. The respective numbers of the two armies were nearly equal.

General Harrison disposed his front infantry line of Trotter's brigade, with King's and Chiles' commands, all forming the right wing, under General Henry. General Desha, with the commands of Allen, Caldwell, and Simrall, formed the left wing facing the Indians. Colonel Richard M. Johnson's splendid mounted regiment, of over eight hundred Kentuckians

present, was ordered to take a position in front of the right wing, and at the given signal, to charge through the ranks of the British regulars, wheel upon their rear, and deliver their volleys into their ranks from that position. They had no swords, but simply their rifles and muskets. Among the Kentuckians the cry was given, "*Remember Raisin!*" Like an electric fire, it was repeated along the lines, "*Remember Raisin!*"



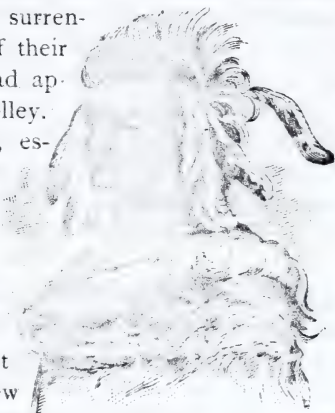
COLONEL RICHARD M. JOHNSON.

Colonel Johnson very soon found that the ground was too narrow between the swamp and river to operate all his regiment against the regulars. Placing his gallant brother, Lieutenant-Colonel James Johnson, at the head of one-half the regiment for this purpose, he led the other half to the left, to charge Tecumseh's Indians. The signal was given, and the cry went down the lines of the two battalions, "*Remember Raisin!*" With resistless

¹ McAfee, p. 362.

impetuosity, in the face of a musketry volley from the British line, the cavalry of the right division charged through the swaying ranks of the regulars, wheeled to the right and left, and poured a destructive fire upon the rear of the disordered columns. In a few minutes the contest was over. Almost bodily the British threw down their arms and surrendered, over eight hundred strong, to one-half their number, before the front line of infantry had approached near enough to deliver a single volley. General Proctor, however, made his escape, escorted by a party of dragoons and mounted Indians, who were vainly pursued as far as the Moravian town by a mounted party.

The position of the Indians on the right was more difficult to approach. They reserved their fire until Col. Johnson's mounted battalion, followed close in the rear by the front line of infantry, had approached within a few paces of their position. A deadly volley cut down many of the advanced guard, and wounded severely the colonel himself. Finding the ground unfavorable for the movement of the horses, he dismounted his columns, and advanced them in line before the enemy. A fierce conflict ensued for ten minutes at close quarters, when the savages gave way before the destructive fire, and fled through the brush into the outer swamp. Among their slain was the great chieftain and warrior, Tecumseh, whose military sagacity and prowess gave an inspiration of courage to the savage allies. The news of his death spread a panic among them, which completed the signal defeat of the British army. As soon as the fighting was forced by Johnson's second battalion, Governor Shelby ordered a portion of Donelson's regiment to their support. They promptly obeyed, and in time to deliver their effective volleys into the ranks of the Indians. This was the only portion of the infantry which had an opportunity of participating in the battle, so sweeping were the onsets of the impetuous dragoons.



TECUMSEH.

The dead body of Tecumseh was found at the point where Colonel Johnson had charged the enemy in person; and the testimony goes strongly to confirm the belief of many, that the mighty warrior fell by the hand of the brave and dauntless hero who led his Kentuckians into the battle. Of this tragic scene, Colonel Johnson says that the Indians lay behind an apparently impassable swamp, in ambush. A narrow passway to them was found, over which he pushed forward at the head of twenty men to draw their fire, and enable the remainder of the battalion to charge with more effect. Mounted on a white mare, he was a conspicuous mark for the guns of the enemy. The little band in front received the whole Indian fire, and nineteen of the twenty were killed or wounded. The brave leader received

four wounds, and his faithful mare fifteen. Though she staggered and fell to her knees, she recovered at the touch of the rein. The remainder of the troops coming up, he led them forward and drove back the Indians. He noticed a daring chief, who rallied the foe three several times. Advancing singly upon him, the chief took a tree, and from its shelter deliberately fired on Colonel Johnson. The bullet striking one of the fingers, passed through his left hand. Disabled from holding the rein with his hand, he let it fall over his wrist and thus guided his mare. The Indian, supposing that he had given a fatal wound, came out from behind the tree and advanced on him with uplifted tomahawk. With his right arm yet free, Colonel Johnson drew his pistol and instantly fired at him at a distance of ten feet. The chieftain fell dead, when the Indians at once retreated into the swamps and brush.

Though Tecumseh's body was found at the spot, other slain Indians lay near; and as Colonel Johnson was borne from the field desperately wounded, the chieftain's body could not be certainly identified as the one slain by him. In the language of McAfee, the Indians "had lost by the fall of Tecumseh a chief in whom were united the powers of Achilles and the authority of Agamemnon." The entire losses on the part of the Americans were some seventy killed and wounded; that of the British and Indians were seven hundred prisoners, and over two hundred killed and wounded. The Kentuckians lamented the death of the veteran pioneer, Colonel William Whitley, who fell fighting bravely in the front; and some days after, Captain Craig and Lieutenant Logan died of their wounds. It is worthy of mention that the faithful white mare of Colonel Johnson sank down and expired in the midst of the carnage, where she had nobly borne her heroic master.

Many yet living will remember the brothers, Richard M., James, and John T. Johnson, residents formerly of Scott county. They were the impersonation of the heroic in character. For their country, patriotism knew no sacrifice they were not ever ready to offer up. For their neighbors and friends in need, no bounds were ever set to the generous disposal of their services and possessions. Wherever duty called, all idea of self was obscured in the devotions of performance. Not Percy nor Richard were more impetuous and daring on the field of battle, where the front of peril was the point they ever sought, to make of themselves an example and a shield for their devoted followers. The first-named was honored by his countrymen with a seat in Congress, and finally with the vice-presidency of the United States. The last-named also, John T. Johnson, left the halls of Congress under a sense of duty and loyalty to an authority higher than human, to devote his life services to the ministry of religion, in which he gave the same impassioned and self-denying consecration that had distinguished the trio of brothers in other spheres of duty.

Of Johnson's mounted regiment, General Harrison says, in his report to the secretary of war: "It would be useless to pass encomiums on Colonel

Johnson and his regiment. Veterans could not have manifested more firmness. The colonel's wounds prove him to have been at the post of danger. Lieutenant-Colonel Johnson and Majors Payne and Thompson were equally active."

After mentioning that Captain Charles S. Todd had rendered him most important services throughout the campaign, very gratefully to the feelings of affection and admiration which the Kentuckians bore to their venerated governor, General Harrison continues: "I am at a loss how to mention the merits of Governor Shelby, being convinced that no eulogium of mine can do them justice. The governor of an independent State, and greatly my superior in years, in experience, and in military fame, he placed himself under my command, and was not more remarkable for his zeal and activity, than for the promptitude and cheerfulness with which he obeyed my orders. Major-Generals Henry and Desha, and Brigadiers Allen, Caldwell, King, Chiles, and Trotter, all of the Kentucky volunteers, manifested great zeal and activity. Of Governor Shelby's staff, Adjutant-General McDowell and Quartermaster-General Walker rendered great services, as did his aids, General Adair and Majors Barry and Crittenden."

The Indians, under shelter of swamp and forest, were routed and driven by not exceeding one-third their number of Kentuckians, as the British regulars had far more easily been by a force one-half their own. Over half the American troops failed of an opportunity to fire a volley.

The power of the British in the North-west being thus shattered, the hostile tribes were nearly all solicitous to make terms of peace, which were satisfactory to General Harrison. He had recently before, in necessary self-protection, employed some of the Indians in the campaign against the British. He now engaged more of the warriors in the same service, but under rigid restrictions against the indiscriminate murder of non-combatants, and other barbarities to which they were commonly instigated by British officers. The successful restraints put upon the Indians by American officers, by an exceptional few of the British officers, and by Tecumseh himself, and which were mainly effectual, prove conclusively that General Proctor, and others of his class, were personally guilty of the innocent blood which drenched the land under the ruthless tomahawk of the red barbarian, through so many painful and suffering years of war. No less did that guilt of superlative crime stain the honor and integrity of the British throne.

The Kentucky volunteers returned home, and, on the 4th of November, were mainly discharged by Major Trigg, at Limestone. The subsequent events of the war in the North-west were without interest or importance worthy of mention in Kentucky history, with a single exception. Under an order of Secretary Armstrong, of the war department, General McArthur was authorized to call for one thousand mounted men for an expedition against the Potawatamies, who had shown a disposition to continue in the

service of the British. A call was made on the governors of Ohio and Kentucky for five hundred men, each. In a few weeks seven volunteer companies from Kentucky were ready, and at the point of rendezvous in time, under the command of Major Peter Dudley. Changing the plan of campaign to create a diversion for the relief of Fort Erie, which was seriously threatened, General McArthur marched up by Detroit and crossed St. Clair river into Canada. Advancing some two hundred miles by way of Oxford and Burford, with frequent skirmishes, a sharp fight was had with a force of the enemy over five hundred strong. The result was a complete rout of the latter, with a loss to them of one hundred and sixty in killed, wounded, and prisoners. The expedition having accomplished a very desirable success, General McArthur returned to Sandwich, where the enlisted men were honorably discharged. For gallant conduct during this campaign, Majors Todd and Dudley and Captain Bradford were honorably mentioned in McArthur's report.

The field of the South-west becomes next the object of attractive interest, as the theater of the dramatic military events which culminated in the memorable battle of New Orleans, and closed the war with signal disaster to the British arms. The decisive battle of Waterloo on the 18th of June, 1814, gave victory to Lord Wellington, and completed the downfall of Napoleon upon the continent of Europe. A general pacification followed; and the veteran troops, who had won victories and borne defeats in the campaigns against the greatest general of history, were released from active hostilities. A large armament of ships of war and thirteen thousand veteran troops were to sail for the Mexican gulf in September. The armament which had captured and burned Washington City was to join this. ¹In view of this formidable demonstration on the part of England, the war department ordered twenty-five hundred of the detached militia of Kentucky to join the recruits from Georgia and Tennessee, as re-enforcements for the army of General Jackson quartered at Mobile. These, with the regulars and volunteers from Louisiana and Mississippi Territory, would place at the disposal of the general a combined force of some fourteen thousand men, for operations on the lower Mississippi and the gulf.

Before we detail the immediate operations of the contending armies, in the attempt of the enemy to get possession of New Orleans and subdue the State of Louisiana, it would be proper to take a preliminary view of the preceding situation of our affairs in that quarter, and of the preparations on foot both to make and to meet the invasion.

According to the advices from our commissioners in Europe, a large armament was to sail from Great Britain in September, carrying out from twelve to fifteen thousand troops for the intended conquest. The armament which had captured Washington City was, also, now directing its course to the South, where its rapacious commanders were allured by the spoil of a

¹ McAfee, p. 500.

rich and luxurious city, and favored in their designs by the climate, the season, and the situation of our affairs. We had no army of veterans led by long experienced generals to oppose them in that quarter. The indispensable munitions of war, and the militiamen destined to use them, were still in the arsenals and at their houses, more than a thousand miles distant, on the route they had to traverse to the scene of action.

It, hence, became the duty of our Government and its military functionaries to make the most active preparations for a vigorous defense. Nor was the pressure of this duty in the least alleviated by adverting to the internal condition of Louisiana, both in regard of its population and the facility with which it could be invaded from the ocean. Its situation in the Union was remote in the extreme. Its coasts were intersected by numerous bays, lakes, rivers, and bayous, through which the enemy could penetrate to the interior in his small vessels. The banks of those avenues being marshy and uninhabited, they could not, with facility, be guarded by our militia. The population in general was composed of Frenchmen and Spaniards, who had, whether foreigners or natives, been bred under the most despotic forms of government. They had not yet become familiar with our institutions, and were much antagonized in their sentiments and views to the American people. The militia of the country had, on a late occasion, refused to comply with the requisitions of the governor, and a great many European Frenchmen had entered their adhesions to Louis XVIII., and through the medium of the French consul claimed exemption from military service. Local jealousies, national prejudices, and political factions, dividing and distracting the people, prevented that union and zeal in the common cause, which the safety of the country demanded. Hence, there was a general despondency and want of preparation for the approaching crisis. The disaffected and traitorous, however, were on the alert, carefully communicating the earliest intelligence, and every species of useful information respecting the country to the British. The Legislature was protracting its session to an unusual length without adopting such measures as the alarming situation of the State required. It was represented as being politically rotten; and particularly, that in the House of Representatives the idea had been advanced, advocated, and favorably heard, that a considerable portion of the State belonged of right to the Spanish Government. That, too, at a time when the co-operation of the Spaniards with the British in the expected invasion was the prevailing opinion.

Such was the character of the population and the situation of our affairs at New Orleans, as represented by the highest authority, to the government and the commander of the district. A vast majority of the people, however, consisting of the natives of that country and emigrants to it from other parts of the Union, were well disposed to our cause, and willing to acquiesce and co-operate in the necessary measures of defense. By these General Jackson was hailed, on his arrival at New Orleans, with acclamations of unbounded joy, as a deliverer sent to save their country from approaching ruin.

In the meantime, the militia from Tennessee, Kentucky, and Georgia were in motion. The orders of the war department were received by the respective governors about the 20th of October, and about one month afterward the militia of Kentucky and Tennessee were embarked in flats, and ready to descend to New Orleans. The Kentucky detachment of twenty-five hundred men was commanded by General John Thomas, who was accompanied by General John Adair, as adjutant-general to the division, an officer of tried valor and known military talents. Three thousand of the Tennessee militia were sent down the river, under the command of General William Carroll and Brigadier-General Byrd Smith. The former had recently been elected to succeed General Jackson in the militia, when he was transferred into the regular service. The other two thousand of the Tennessee draft were sent toward Mobile, under the command of General Taylor; and the Georgia detachment was ordered for the same place, under the command of General John McIntosh and General Blackshear. Artillery, musketry, and ammunition were also embarked at Pittsburgh and other points on the Ohio, for the use of these troops and the fortifications at New Orleans; the greater portion of which did not arrive until the conflict terminated.

Before General Jackson left Mobile, he made arrangements for transferring nearly the whole of his troops in that quarter to New Orleans. The corps of the army brought from that quarter were the mounted brigade of Tennessee volunteers, two companies of the Forty-fourth United States regiment, and Hind's squadron of dragoons. About the 1st of December, General Jackson arrived with his infantry at the city, and immediately commenced the most active preparations for defense. His lofty character as an energetic, intrepid, and skillful general had gone before him; and having secured him the unbounded confidence of the people, enabled him to exercise an unlimited influence over them. The governor had ordered the militia of his State *en masse* to hold themselves in readiness to march at a moment's warning, and several corps were already in active service.

To guard the different avenues through which the enemy could approach the city, so as to prevent a surprise, and be ready at every point to meet them, was an object of primary importance. The general, hence, immediately reconnoitered the country in person, to ascertain the places at which it was most necessary that guards should be posted. He accordingly stationed a detachment of regulars on the bayou Bienvenue, which led from Lake Borgne into the plantation of General Villere, upon the bank of the Mississippi, about six miles below the city. A guard was also posted upon the Chef Mentièrre, a bayou which leads from Lake Borgne into Lake Pontchartrain. The enemy would be able to come up these natural canals in their boats, and upon foot along their banks, which would greatly facilitate their approach; all the country around Orleans, except where there is a pass of this description, being an impenetrable morass. Strong batteries and a garrison were at the mouth of the bayou St. John, which forms the chief

communication and common highway from the city into Lake Pontchartrain. Between the latter and Lake Borgne, which lies below it, there is a communication called the Rigolets, through which vessels of some burden can pass, upon which was a fortification on an island called the Petit Coquille. The general also visited and strengthened the old fortress on the Mississippi below New Orleans, called Fort Plaquemine, or St. Philip. A flotilla commanded by Lieutenant Jones, and consisting of five gunboats, a schooner, and a sloop, was stationed at Bay St. Louis, about fifty miles east of New Orleans.

On the 12th of December, intelligence was received at the city that the hostile fleet had made its appearance in the gulf, between the Balize and Mobile point, to the number of forty sail. Having selected Ship Island, off the bay of St. Louis, as a place of rendezvous, they began to concentrate at that place; and on the 12th they had arrived there in such force that Lieutenant Jones thought it most prudent to retire from their vicinity to the Malheureux islands, at the entrance of Lake Borgne; from which he could again retire, if necessary, to the Petit Coquille, and dispute the passage into Lake Pontchartrain. On the morning of the 13th, he discovered a large flotilla of barges leaving the fleet and steering westward, obviously with the intention of attacking his gun-vessels. He had that morning sent the schooner into the bay of St. Louis, to bring away the public stores from the position he had evacuated. The enemy, having discovered her, sent three barges against her, which were driven back by a few discharges of grapeshot, until they were joined by four others. A sharp contest was then maintained for half an hour, when they were again forced to withdraw, with considerable loss. But the commander of the schooner, Mr. Johnson, finding it impossible to escape with his vessel, now blew her up, set fire to the storehouse on shore, and escaped with his crew by land.

Lieutenant Jones, in the meantime, had got under sail, with the intention of retiring to the Petit Coquille; but the water being unusually low in those shallow bays, lakes, and passes, and the wind and tide being unfavorable, neither the pursuers nor the pursued could make much progress. At midnight the gunboats came to anchor at the west end of the Malheureux pass; and in the morning of the 14th, the enemy's barges were discovered within a few miles of them. A calm, with a strong current against him, now compelled Lieutenant Jones to prepare for action, though the force of the enemy was vastly superior. They had forty-two launches and barges, with three gigs, carrying forty-two carronades, twelve eighteen and twenty-four pounders, and twelve hundred men, all commanded by Captain Lockyer, the ex-minister at the court of Barataria. Our five gun-vessels carried twenty guns and one hundred and eighty-two men; the sloop carried only one four-pounder and eight men.

The enemy came up in line of battle, and at eleven o'clock the action had become general, warm, and destructive on both sides. Three barges

presently made an attempt to carry the nearest gunboat by boarding, and were repulsed with dreadful slaughter, two of them being sunk. The attempt was renewed by four others, with nearly the same result. The enemy, however, persevered, and finally succeeded in capturing the whole, having carried most of them by boarding. The action lasted about two hours, and was uncommonly severe and bloody. The loss of the enemy was estimated at three hundred killed and wounded, and several barges sunk. Our loss in killed and wounded was comparatively very small, being only five killed and thirty wounded. Both Jones and Lockyer were wounded severely. A resistance so obstinate and destructive to the enemy, against a force so superior, reflects the highest honor on the American officers and seamen. They had formerly been under the command of Captain Porter, who immortalized Valparaiso by the obstinate and desperate resistance which he made at that place against a superior force of the enemy, and they now proved themselves worthy pupils of that invincible naval hero.

On the day after the battle, intelligence of the result was brought to New Orleans by the commander of the schooner, who had escaped by land from the bay of St. Louis. The city already alarmed, distracted, and despairing, was thrown into consternation and confusion by the event. A powerful, well-disciplined, and well-appointed army was upon the coast, and the only feeble barrier which prevented its approach through the lakes, within a few miles of the city, was now entirely swept away. The whole force under Jackson, on which the salvation of the State depended, did not exceed four thousand, of which only one thousand were regulars. The greater part of this force was kept at the city, that it might be ready to meet the invaders in any pass which they might select for their approach. The mounted volunteers under Coffee had not yet arrived from Mobile.

At such a crisis and in such circumstances, the utmost exertions of every patriot, and the most vigorous and efficient measures for the public security became indispensable. The general had not forgotten the representations which he had previously received from the highest authority, concerning the general character of the population, the number of disaffected persons in the city, and particularly the want of confidence in the legislative representatives of the people, which their conduct in the present session had inspired. With a view, therefore, to supersede such civil powers, as in their operation might interfere with those which he would be obliged to exercise in pursuing the best measures for the safety of the country, and under a solemn conviction, after consulting with the best patriots in the place, that the measure was proper and required by the situation of our affairs, he determined to place, and on the 16th did proclaim, "the city and environs of New Orleans *under strict martial law*." This decisive measure received the approbation and cordial acquiescence of every friend to the safety of the country. It was accompanied by suitable regulations, which required every person entering the city to report himself at the office of the adjutant-gen-

eral, and every person or vessel leaving it, to procure a passport from the general, one of his staff, or the commanding naval officer. The street lamps were to be extinguished at nine o'clock in the night, and every person afterward found abroad, without permission in writing, was to be apprehended as a spy. The whole of the citizens—sojourners, passengers, and persons of every description, who were capable of bearing arms—were pressed into the land and naval service.

The general at the same time published the following address to the people:

"The major-general commanding has learned, with astonishment and regret, that great consternation and alarm pervade your city. It is true the enemy is on our coast, and threatens an invasion of our territory; but it is equally true, that with union, energy, and the approbation of Heaven, we will beat him at every point, where his temerity may induce him to set foot on our soil.

"The general, with still greater astonishment, has heard that British emissaries have been permitted to propagate a seditious report among you, that the threatened invasion is with a view of restoring the country to Spain, from a supposition that some of you would be willing to return to your ancient government. Believe no such incredible tales. Your Government is at peace with Spain. It is the mortal enemy of your country, the common enemy of mankind, the highway robber of the world, who threatens you, and has sent his hirelings among you with this false report, to put you off your guard, that you may fall an easy prey to his rapacity. Then look to your liberties, your property, and the chastity of your wives and daughters. Take a retrospect of the conduct of the British army at Hampton, and other places where it entered our country, and every bosom which glows with patriotism and virtue will be inspired with indignation, and pant for the arrival of the hour when we shall meet the enemy and revenge these outrages against the laws of civilization and humanity.

"The general calls upon the inhabitants of the city to trace this unfounded report to its source, and bring the perpetrator to condign punishment. The rules and articles of war annex the punishment of death to the crime of holding secret correspondence with the enemy, supplying him with provisions, or creating false alarms; and the general announces his unalterable determination, rigidly to execute the martial law in all cases which may come within his province.

"The safety of the district entrusted to the protection of the general must and will be maintained with the best blood of the country; and he is confident that all good citizens will be found at their posts with arms in their hands, determined to dispute every inch of the ground with the enemy, and that unanimity will pervade the whole country. But should the general be disappointed in this expectation, *he will separate our enemies from our friends. Those who are not for us are against us, and will be dealt with accordingly.*"

The traitors well knew from the character of General Jackson that the threatening parts of this proclamation were not mere sound and fury, but that they would be carried into execution with the utmost rigor and promptitude. Disaffection was thus awed into silence, and the friends of the country were inspired with unbounded confidence, harmony, and enthusiasm. The militia of the city and all its environs were armed, accoutered, and drilled twice every day. On the 18th, an address from the general was read to those of the city, by his volunteer aid, Mr. Livingston, the following extracts from which will exhibit the spirit of the times:

"The general commanding in chief would not do justice to the noble ardor that has animated you, in the hour of danger—he would not do justice to his own feelings—if he suffered the example you have shown to pass without public notice. Inhabitants of an opulent and commercial town, you have, by a spontaneous effort, shaken off the habits which are created by wealth, and shown that you are resolved to deserve the blessings of fortune by bravely defending them. Long strangers to the perils of war, you have embodied yourselves to face them with the cool countenance of veterans; with motives to disunion, that might operate on weak minds, you have forgotten the difference of language, and the prejudices of national pride, and united with a cordiality that does honor to your understanding as well as to your patriotism."

Information was now received that the enemy, after the capture of our brave flotilla, was pressing to the westward, through the islands and passes of Lake Borgne, in his boats and light vessels; but the point at which he would attempt to debark, or the pass through which he would endeavor to reach the city, was still unknown. With a view to greater security, in guarding the numerous bayous and canals, which lead from the lake through the swampy district, to the high land on the margin of the river, the superintendence of that service was entrusted to Major-General Villere, who commanded the militia between the river and the lake, and who, being a native of the country, was presumed to be best acquainted with its topography. He kept a picket guard stationed at the mouth of the bayou Bienvenue, which led into his own plantation on the bank of the river; but contrary to the orders of General Jackson, he left the navigation of the bayou unobstructed. On the 23d of December, the enemy having selected this pass for their approach, succeeded in surprising the guard at the mouth of the bayou, and in capturing a company of militia, stationed on the plantation of General Villere. Their troops were then conveyed up the bayou to the number of three thousand, and an encampment formed between the river and the marsh, on the premises of Major Lacoste. The intelligence of their approach was brought to headquarters at the city about one o'clock on that day, and General Jackson immediately determined to attack them, without delay, in their first position.

In the meantime, General Coffee had arrived with his brigade of mounted men from Mobile, and also General Carroll with part of his division of

militia infantry from West Tennessee. The latter had descended the rivers with a degree of celerity unparalleled in the history of military movements. His troops had embarked on the 24th ultimo at Nashville, and on the evening of the 22d instant, it being the twenty-ninth day of their voyage, they arrived very opportunely near the city of New Orleans. They were now encamped with the mounted men, who had also recently arrived, about four miles above the city, and were all immediately ordered down by General Jackson, to anticipate the dangers of battle on the toils of the march. The general expected that the troops which the enemy were debarking by the pass of Bienvenue did not constitute their principal, or at least their only force, but that a simultaneous attack would be made by the way of Chef Mentiére. He, therefore, posted the division of General Carroll, with the city militia, on the Gentilly road leading to Chef Mentiére, to meet such an event. At five o'clock he was ready to march down against the enemy with the rest of his troops. The whole force was very much inferior to that of the enemy, which was commanded by General Keane.

About seven o'clock, General Jackson arrived near the British encampment, where all was quiet, his advance upon them being concealed under cover of the night, while their fires in the camp fully exposed them to his view. Their right extended to the swamp, and their left, which was the strongest part of their lines, rested on the bank of the river. Arrangements were immediately made for the attack. General Coffee was ordered to turn their right, while Jackson, with the regulars, attacked their strongest position on the left. Commodore Patterson had been ordered to drop down the river in the schooner *Carolina*, and commence a fire on their camp, which was to be the signal for a general charge.

At half-past eight the commodore opened his fire. General Coffee's troops then rushed on the right of the enemy with great impetuosity, and entered their camp; while Jackson engaged their left with equal ardor, supported by the fire of the schooners and the two field pieces. The action soon became general, and was obstinately contested on both sides, the hostile troops being frequently intermixed with each other in the conflict. About ten o'clock, after the battle had raged more than an hour, a thick fog came over them, which caused some confusion among our troops, and rendered it necessary, in the opinion of our general, to desist from the contest. Had it not been for this unfortunate occurrence, he would no doubt have gained a decisive victory, and have blasted at once the presumptuous hopes of the invader. He lay on the field of battle, in the face of the enemy, till four o'clock in the morning, and then withdrew his army with so much address as to elude their vigilance, and conceal the weakness of the force by which they had been so boldly attacked. Having retired up the river about two miles, he encamped his troops on the firm, open ground between the river and the swamp, at a narrow point between the enemy and the city, where their progress could be arrested with less labor and fewer troops than at any

other position he could have selected. The instinctive qualities of generalship Jackson never failed to show in every emergency.

When General Keane first reached the banks of the Mississippi, he felt supremely confident that the conquest of the city would be an easy achievement for his Wellington invincibles; but the uncivil greeting which he received the first evening on our shores convinced him of his error, taught him to respect our prowess and enterprise, and made him contented with maintaining his first position, until the commander-in-chief, Lieutenant-General Sir Edward Packenham, could arrive with the balance of the forces. The most important advantages were thus derived to our cause by this bold, decisive, and judicious movement of our general. The progress of the enemy was arrested, which gave us time to fortify and entrench our lines in the most eligible position for defense; and our success in the battle inspired our troops with the confidence of veterans. The loss of the enemy was computed at four hundred killed, two hundred and thirty wounded, and seventy prisoners captured, including among them one major and several other officers of less rank. Our loss was twenty-four killed, one hundred and fifteen wounded, and seventy-four missing. Among the dead were Lieutenant-Colonel Lauderdale, of the Tennessee mounted men, and Lieutenant McClelland, of the Seventh infantry, and several other officers were wounded.

General Jackson now determined to fortify his position, act on the defensive, and await the arrival of the Kentucky detachment. The interests committed to his care were too important to be exposed to any unnecessary hazard by offensive and premature operations against the enemy. The care of Chef Mentiére pass being entrusted to Colonel Morgan, of the city militia, the division of General Carroll was brought down to the lines, and the fortifications commenced with the utmost vigor and dispatch. They consisted of a straight line of works extending from the river on the right of our troops to the swamp on their left. A breastwork was thrown up from four to five feet high, with a wet ditch close in front, about four feet deep and eight feet wide. Several heavy pieces of artillery were then mounted on the works, with their embrasures lined with bales of cotton. On the right, the works terminated in a bastion, with a battery calculated for raking the ditch. Such were the fortifications now completed with the utmost expedition in the power of our troops, aided by the labor of a number of negroes from the plantations. The opening of the ditch was also facilitated by the presence of an old canal which had been dug to convey the water of the river, down to a mill at the edge of the swamp.

On the 20th, the ship *Louisiana*, Commodore Patterson, and the schooner *Carolina*, Captain Hunley, dropped down the river, took a position near the enemy's camp, and opened a brisk, destructive fire upon them, from the severity of which they were glad to shelter themselves by retiring into the swamp. In the night, however, they erected a furnace and battery at a convenient distance on shore, and were ready at daylight on the 27th to com-

mence a fire of red-hot shot on the assailing vessels. The ship was out of their reach, but the schooner being becalmed within the range of their guns, and prevented from ascending by the strength of the current, Captain Hunley was compelled to abandon her, and she soon afterward took fire and was blown up.

Sir Edward Packenham, commander-in-chief, having now arrived and brought up large re-enforcements to the British camp, they resolved on making a demonstration on our works, with a view to effect something important and decisive. On the 28th, they advanced with their whole force, and commenced a tremendous cannonade and bombardment of our lines. Balls, shells, and congreve rockets were thrown in showers on the breastwork, and over the heads of our troops. Their columns were formed and brought up, apparently with the intention of storming our works on the left. But their fire was returned with great spirit and vivacity by our batteries, which compelled them, after three hours of incessant cannonading, and fruitless exposure of their lines, to retire with disappointment to their camp. Their expectations appeared to be that their tremendous cannonade and great quantity of combustibles thrown on our works would frighten away the militia, or throw them into confusion, and thus afford a favorable opportunity for making an assault. But the firmness and cool intrepidity of our troops, combined with the destructive fire of our batteries, kept them at a respectful distance, and at last compelled them to abandon the enterprise. Their loss on this occasion was considerable—not less than one hundred and twenty killed, while ours was but seven killed and eight wounded. Lieutenant Henderson, of the Tennessee militia, was among the slain. For several days after this affair nothing important occurred. Skirmishes occasionally took place between the picket guards, and the enemy's camp was sometimes annoyed by the ship Louisiana.

Though disappointed in their expectations on the 28th, they did not abandon the project of forcing our lines, but prepared for a more formidable attack on Sunday morning, the 1st of January. Admiral Cochran, the naval commander, had sent us word, on his arrival off the coast, that he would eat his Christmas dinner in New Orleans; and General Packenham now resolved at least to spend his New Year in the city. Under cover of the night, and a heavy fog which continued until eight o'clock in the morning, the enemy advanced within six hundred yards of our works, being considerably nearer than they had come before, and there erected three different batteries, mounting in all fifteen guns, from six to thirty-two pounders, and as soon as the fog had cleared away in the morning they commenced a heavy and incessant fire, throwing shot, bombs, and rockets in showers at our works. They also essayed again to advance to the assault in column, but the steady and skillful fire of our batteries soon arrested their progress and put them to flight. An incessant cannonading, however, was continued throughout the day, until late in the evening, when our balls had dismounted

and silenced nearly all of their guns. Under cover of the night, they again withdrew from the unprofitable contest. Our loss on this day was eleven killed and twenty-three wounded; while that of the enemy, from their very exposed situation, must have been severely great.

The opposite side of the river, or the right bank, now became an object of attention with both armies. Commodore Patterson had landed some of the guns of the Louisiana, and erected a battery on the bank, opposite the main works on the left side, for the purpose of co-operating with the right of our lines, and flanking the enemy in his advance up the river to attack them. After the affair on the 1st of January, the battery was enlarged by landing and mounting more guns, and a furnace was prepared to heat shot, with a view to fire the houses between the two armies, which were occupied by the British. The Louisiana militia and New Orleans contingent were also stationed at that place under General D. B. Morgan, for the purpose of repelling any attack on the battery, or any attempt to move up on that side and annoy the city across the river, which the enemy might make. On the 4th, General Morgan began to throw up a breastwork, and mounted three twelve-pounders for the defense of his troops. On the 4th, also, the Kentucky detachment under General Thomas arrived at the city. They were nearly destitute of arms, for they had brought but a few with them from home, and those which had been shipped in trading-boats at Pittsburgh had not yet arrived. They were ordered to encamp at the canal of Madame Piernass, one mile above the American lines, until they could be equipped for service. The city was now ransacked for arms to supply the Kentuckians. By the 7th, a sufficient number was collected and repaired, together with a loan obtained by General Adair from a corps of exempts, to arm the regiment commanded by Colonel Slaughter, and the battalion under Major Harrison. These corps, one thousand strong, were then marched down to the lines, under the command of General Adair, Major-General Thomas being unwell, and were posted immediately in the rear of General Carroll's division, to support the center of our works.

The enemy in the meantime were engaged, on the suggestion of Admiral Cochrane, in enlarging a canal which connected the Mississippi with bayou Bienvenue, to enable them to draw their boats through it into the river, and make an attack on our establishment under Patterson and Morgan. On the 7th, their operations were reconnoitered across the river by the commodore, who ascertained in the evening that they had nearly completed the undertaking. He immediately communicated this information to Jackson, with a request that re-enforcements might be sent over, to assist in the defense of his position. The general accordingly ordered four hundred of the unarmed Kentuckians, to go up to the city where they would be supplied with arms, and then come down on the opposite side to Morgan. It was in the night when they marched; and a supply of indifferent arms could be procured for no more than two hundred, who proceeded to their place of destination.

while the balance returned to camp. About one o'clock in the morning of the 8th, the commodore discovered that the enemy had gotten their barges into the river, and that an uncommon stir was prevailing in their camp, of which the commanding general was duly notified.

No doubt now existed in the American camp, that another formidable attack was on the point of being carried into execution on both sides of the river. As the enemy had already been twice repulsed, it was reasonable to expect that his third attempt would be desperate and bloody. Our main army, however, was well prepared to receive him, and anxious for an assault to be made. The whole extent of our works, about eighteen hundred yards from the river to the swamp, was well finished, well manned with brave soldiers, and well defended with artillery. The regulars, with part of the militia from Louisiana, occupied six hundred yards on the right, next to the river; General Carroll's division occupied eight hundred yards in the center, and General Coffee defended the balance of the works on the left. The Kentuckians, formed in two lines, occupied four hundred yards in the center, close in the rear of General Carroll's command.

As soon as the dawn of day enabled us to see some distance in front of our lines, the enemy were discovered advancing in great force, formed in two powerful columns on the right and left, and prepared with fascines and scaling-ladders to storm our works. Their left column, which was the least, was led up the bank of the river by General Keane, while their main column was conducted against the center of our works by General Gibbs. A third column was held in reserve, under the command of General Lambert. The ground over which they had to march to the assault was a perfect level, beautifully overgrown with clover, and without any intervening obstruction whatever. The signal for the onset was the discharge of a rocket from the head of their column next the river, when their whole force rent the air with a shout, and advanced briskly to the charge. A tremendous cannonade was at the same time opened on our works from their mortars and field artillery, and from a battery of six eighteen-pounders, which they had erected within five hundred yards of our lines.

Their attack was received by our troops with the utmost firmness and bravery, and their fire immediately returned by the artillery on our works, under the direction of deliberate and skillful officers, who tore their columns, as they approached, with a frightful carnage. As soon as the heads of their columns had arrived within the range of our small arms, they were assailed in a manner still more destructive, by the steady, deliberate, well-aimed fire of our rifles and musketry. Though they advanced under this havoc with firmness and intrepidity, yet, ere they could reach our works, they were thrown into confusion and repulsed. But the brave officers who led them soon rallied their flying troops, reformed their shattered columns, and led them the second time to the charge, with renovated vigor and fury. In vain was their bravery, in vain the utmost exertion of their powers; they only

renewed the charge to suffer a new repulse, with redoubled carnage. Their principal column advancing against the center of our works was opposed by the strongest part of our lines, consisting of Tennessee and Kentucky marksmen, at least six men deep. These poured forth a sheet of fire, which cut down the ranks of the enemy like grass by the scythe of a mower. Yet their heavy columns pressed on with such force and desperation, that many of their men at last entered the ditch in front of our breastworks, where they were shot down in heaps at the very muzzles of our guns.

Slaughtered, shattered, and disordered, they were again forced to retire. Their leaders, however, apparently resolved on victory or total destruction, again rallied and brought them up a third time to the charge. But their principal officers being now slain and disabled, and their strength greatly broken and spent, this last effort was less successful than the former. They were soon forced to fall back in disorder on their column of reserve, with which they pursued a precipitate and disorderly retreat to their camp, under a galling fire from our batteries, leaving the field covered with the dying and the dead. General Pakenham was killed, and Generals Keane and Gibbs were both severely wounded, the latter of whom died a few days afterward. Colonel Rannie was also killed, a brave and intrepid officer, who, in the second charge, entered the bastion on our right, at the head of his men, but was immediately slain and his followers repulsed by our brave regulars and Beale's company of city riflemen. The action lasted about an hour, and terminated in a decisive and total defeat of the enemy.

On the other side of the river our armies experienced a reverse. The battery erected by Commodore Patterson was constructed for annoying the enemy across the river, and raking the front of our works on the left side. During the attack this morning it was employed in that way with considerable effect. But before the action ceased on the left, an attack was also made on the right bank. The eighty-fifth regiment, with some seamen and marines, having crossed the river opposite the British camp, and led by Colonel Thornton, advanced under cover of some field pieces, and put to flight some troops commanded by Major Arno, who had been sent down to oppose their landing. Continuing their march up the river, they next attacked the two hundred Kentuckians under Colonel Davis, who had been sent half a mile in front of our works to oppose them. After a sharp skirmish, Colonel Davis retreated by order of General Morgan, with the loss of about thirty men, in killed, wounded, and missing. Having reached the entrenchment, he was ordered to post his men on the right of the Louisiana militia. The guns in the battle could not be employed against Colonel Thornton until they were turned in their embrasures, which was not undertaken until it was too late to accomplish it before the charge was made. General Morgan had five hundred Louisiana militia safely posted behind a finished breastwork, which extended two hundred yards from the battery, at right angles to the river, and was defended by three pieces of artillery. The one hundred

and seventy remaining Kentuckians on his right were scattered along a ditch three hundred yards in extent, and still further on the right there were several hundred yards of open ground entirely undefended. In this situation of things, the enemy, with steady pace, continued advancing to the charge in two columns, under the cover of a shower of rockets. Their right column, advancing next the river, was thrown into disorder and driven back by Morgan's artillery; the other, advancing against the Kentuckians, was resisted by their small arms till a party of the assailants had turned their right flank and commenced a fire on their rear. Overpowered by numbers in front, assailed in their rear, and unsupported by their companions in arms, they were at last compelled to retreat from their untenable position. The Louisiana militia then retreated also from their breastwork and artillery before they had felt the pressure of the enemy. Commodore Patterson, perceiving how the contest would issue, spiked his cannon, and was ready to join in the retreat with his marines. The enemy pursued them some distance up the river, and then returned to destroy the battery and other works.

Patterson and Morgan were conscious that they had acted badly, the former in not turning his guns in time, and the latter in leaving his right flank weak, uncovered, and unsupported, while his main force was uselessly concentrated behind the breastwork. They determined to throw the whole blame of the defeat on the handful of Kentuckians who had the misfortune to be present and to do all the fighting that was done, except a few discharges from the artillery. They induced General Jackson to report to the war department that "the Kentucky re-enforcement ingloriously fled, drawing after them, by their example, the remainder of the forces," and the commodore, in his report to the navy department, stigmatized them in terms still more offensive. A court of inquiry was demanded by Colonel Davis, before which the facts were proven as above detailed. The court, however, merely pronounced the Kentuckians excusable. This being deemed unsatisfactory, General Adair again pressed the subject on the commander-in-chief, and at last obtained a dry, reluctant sentence of justification. The detachment did all, at least, that could be expected from brave men, if it was not entitled to the praise of uncommon gallantry.

Our victory on the left bank of the river was very complete and decisive. The inequality of loss in the opposing armies was probably unparalleled in the annals of warfare; ours being only six killed and seven wounded in the main battle, while that of the enemy was estimated at *two thousand six hundred* in killed, wounded, and prisoners. Immediately after the action an armistice for a few hours was craved and obtained by the enemy, for the purpose of burying their dead and taking care of the wounded. A line was then designated across the field of battle, to which they were allowed to come; and between that line and the breastwork, four hundred and eighty-two dead bodies were counted and carried out, while it was estimated that upward of two hundred lay upon the outside of it. The killed was, there-

fore, set down at seven hundred; and supposing, as usual, that twice that number were wounded, the whole killed and wounded would be twenty-one hundred; five hundred prisoners were captured, making a total of twenty-six hundred.

Lieutenant-General Packenham, who was killed, was an officer of great distinction. He was brother-in-law to the celebrated Lord Wellington, under whom he had been trained. Most of the troops he commanded had also fought and signalized themselves under that commander in Spain. Our effective force engaged at the works, according to the official returns, was a little upward of four thousand, of which two thousand were Tennessee militia, one thousand Kentucky militia, and more than one thousand regulars and Louisiana militia. The force engaged on the part of the enemy was not known, but his whole number present was believed to be between eight and ten thousand, the original force of the expedition having been much above those figures.

Though the enemy succeeded in their enterprise upon the right bank of the river, they met with considerable loss there also. Their killed and wounded in that affair being near one hundred; among the latter, Colonel Thornton, severely. Our loss was comparatively small, perhaps not half that number.

After setting fire, not only to the platform and carriages of the battery, but to all the private dwelling-houses for several miles along the river, the detachment retreated over to the main camp, carrying with them two field pieces and a brass howitzer. The object of the enterprise was to wrest the battery from Patterson before the main attack was made, with a view to employ it in raking Jackson's line, instead of flanking their own columns. From some cause, the detachment did not get over the river as soon as they intended, and in time to prevent the battery from answering the purpose for which it had been erected. Morgan and Patterson immediately reoccupied their old position, when the enemy retreated. They began to drill the cannon and repair the works, and in a few days were again ready for efficient service.

On the day after the great battle, an attack was made by the enemy on Fort St. Philip, commanded by Major Overton, with a view to bring their armed vessels up the river, to co-operate with the land forces in the capture of the city. Major Overton received intelligence of their intention as early as the 1st of January, and was well prepared. They doubtless had intended to carry the fort, and get up the river in time for the main contest, but were prevented by the difficulty of ascending.

On the 9th, two bomb-vessels, a brig, a sloop, and a schooner came to anchor about two miles below the fort, and commenced an attack with sea-mortars of ten and thirty inches caliber. They continued the bombardment nine days without intermission, and without molestation, for their position was beyond the range of the guns in the fort. In this period they threw

upward of one thousand large shells, besides a great many small ones, with round and grapeshot, from boats, under cover of the night. A large mortar, in the meantime, was sent down to the fort, and in the evening of the 17th was brought to bear upon their vessels, which induced them to withdraw at daylight next morning. The loss in the fort was two killed and seven wounded, so judicious had been the preparations and policy of Major Overton to meet the attack.

As soon as intelligence of the attack had been brought to headquarters, a battery, mounting four twenty-four pounders, with furnace to heat shot, had been erected to burn the shipping of the enemy should they succeed in capturing the fort, or in passing it with their armed vessels.

Preparations were now making by General Lambert and Admiral Cochran for a retreat. An exchange of prisoners took place on the 18th, by which all our men who had been captured and not sent to the shipping were recovered and restored to their country. In the night of that day, the enemy made good their retreat from the banks of the Mississippi to their boats and small vessels, and commenced embarking their troops and baggage for their large vessels, still lying off Ship island, in the Gulf of Mexico. In their camp, they left fourteen pieces of heavy artillery, a quantity of shot, and eighty of their wounded, with a surgeon to attend them, all of whom had been so disabled in their limbs that recovery would not render them fit for service. The retreat was not accomplished without molestation. Such was the situation of the ground which they abandoned, and through which they passed, protected by canals, redoubts, entrenchments, and swamps, that General Jackson did not think proper to press upon them in the rear with his whole force. But an enterprise was successfully conducted against their light vessels on the lake by Mr. Shields, the purser of the navy. After the battle of the gunboats, Mr. Shields had been sent down under a flag of truce, to ascertain the fate of our officers and men, with power to negotiate an exchange, especially for the wounded. But the enemy would make no terms. They treated the flag with contempt, and himself and the surgeon who was with him as prisoners. Before they retreated, however, they lowered their tone, and begged the exchange that we had offered. Defeat had thus humbled the arrogance of an enemy *who had promised his soldiers "forty-eight hours of pillage and rapine in the city of New Orleans."*

When the intention of the enemy to retreat was discovered, Mr. Shields was sent out through Pass Chef Mentiere, in five armed boats and a gig, manned with fifty sailors and militia, to annoy their transports on Lake Borgue. This service he undertook with great alacrity, as he was anxious to avenge the personal insults and injuries he had experienced. He succeeded, without loss on his part, in capturing and destroying a transport brig and two boats, and bringing in eighty prisoners, besides capturing several other boats and a number of prisoners whom he was obliged to parole.

CHAPTER XXV.

(1816-46.)

- Belligerent period, 1775-1815.
- Of peace, 1815-46.
- Inventors—John Fitch, Rumsey, West, Barlow, and Kelly, the inventor of the Bessemer steel process.
- Madison made governor, 1816.
- His messages.
- Chickasaw purchase.
- Virginia's claims to lands.
- The Kentucky and Tennessee boundary settled.
- Financial distress.
- Forty banks chartered.
- Rapid failures of same.
- Bank of the Commonwealth chartered in 1821.
- Depreciation of its bills.
- Relief and anti-relief measures.
- Old Court and New Court contest.
- Final issues.
- Census of 1820.
- Manufacturing in Kentucky.
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- Desha governor, 1824.
- Protests against assumptions of United States banks and Federal courts.
- Metcalfe defeats Barry for governor, in 1828.
- Jackson defeats Adams for president.
- Exciting issues.
- Clay involved for Adams.
- President Jackson destroys the United States bank.
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- Inflation, followed by collapse, 1837 to 1840.
- Internal improvement system of Kentucky.
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- State and Federal aid.
- Now owned by United States.
- First railroad built in United States.
- Experiments at Lexington, in 1831.
- Ludicrous mistakes.
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- Religion and its progress since 1800.
- Small schisms in the Baptist Church, in 1803 and 1809.
- Elder Vaughn.
- Baptist statistics.
- Georgetown College.
- Presidents, D. R. Campbell, B. Manly, and R. M. Dudley.
- Other Baptist colleges.
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- Thomas P. Dudley.
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- "Declaration and testimony" of 1865.
- Separation and union with the Southern Assembly at Mobile, in 1869.
- Leaders of North and South divisions.

Southern Church founds Central University at Richmond.

History of this institution.

R. L. Breck, first chancellor.

L. H. Blanton, his successor.

Its endowers and promoters.

Statistics of this church.

Centre College.

Its age and work.

Presidents John C. Young and Ormond Beatty.

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Statistics of the Northern Presbyterian Church.

Catholic Church.

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Archbishop Spalding.

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Bishops Henry B. Bascom and Hubbard H. Kavanaugh.

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Augusta College.

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Agricultural, Mechanical, and Normal departments.

Breathitt governor, 1832.

Jackson defeats Clay for the nomination for president.

Clark governor in 1836; Letcher in 1840.

Van Buren president in 1836; Harrison in 1840.

Financial disorders, 1837-42.

Banking experiments.

Issues of Clay campaign.

Relative increase of white and black population.

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Cassius M. Clay.

His printing-office destroyed by a mob in 1845.

With the termination of the second war with England, in 1815, ended what may be termed the belligerent period of forty years of domestic and foreign strife in Kentucky history. The present chapter introduces us to an entirely opposite period of peace, which embraces the succeeding thirty years. In this era of more fortunate repose, we are called upon to give the greater emphasis and attention in the pages of our history to questions of statesmanship, of social and industrial development, and of science and art, which engrossed the public mind in the absence of military procedures and achievements.

Already, the inventive genius of Kentucky citizens had achieved results which have spread their fame throughout the enlightened world. We have mentioned before the adventurous visit to Kentucky of John Fitch, the first practical inventor of steamboats, and his capture by the Indians, in very early pioneer days. He was a surveyor, and pre-empted one thousand acres of land on Simpson's creek, in Nelson county, for himself, and located also for others. He was possessed of an original and inventive mind. While on the banks of the Ohio, beholding with admiration the broad and beautiful river, the thought came to him, like an inspiration, that the divine hand had not fashioned such a magnificent stream of water without designing it for some nobler purposes of navigation than had hitherto been applied. Already, under the inventions of Watts, steam was being used as a motive

power in the mills of England; and the genius of invention on both shores of the Atlantic for years had been busy with experiments to multiply and extend this revolutionizing motor to the uses of navigation. Fitch completed his first steamboat, and announced it ready for a trial trip on the Delaware river, in 1786. The propelling instruments were paddles suspended by the upper ends of their shafts, and moved by a series of cranks. The boat was sixty feet in length. The trial trip was a success. Other steamers were built by Fitch in 1787-88-89, and run between Philadelphia and Burlington, making a speed from four to seven and a half miles an hour. As early as 1785, he had vainly petitioned Congress, and the Legislatures of several States, to grant him aid to perfect and practically apply his inventions. In manuscripts opened after his death, he touchingly says: "The day will come when some more powerful man will get fame and riches from my invention; but nobody will believe that *poor John Fitch* can do anything worthy of attention." He resumed his experiments in 1796, in New York, using a screen. James Rumsey, a Virginian, who emigrated to Kentucky, was engaged in experiments in the United States of the same character as early as 1784, and in 1786 drove a boat on the Potomac, near Shepherdstown, at the rate of four miles an hour, by means of a water jet forced out at the stern. Rumsey subsequently went to England, and continued his experiments on the Thames.

As early as 1783, an authority states that Fitch and Rumsey, *without connection or acquaintance*, executed plans for steam vessels on the great rivers and lakes, and along the indented seacoast. A spirited and heated controversy between the two was carried on, as to who first successfully applied the new motor to the propulsion of boats. Mr. Fitch assured a friend that on his way from Kentucky to Philadelphia, in passing through Winchester, Va., he met Mr. Rumsey, and in conversation disclosed to him his invention, and his purpose in going East with it. In 1813, Robert Fulton was defeated in a suit in New York to enforce his claim to the original invention of steam navigation, by the opposing counsel producing in court a pamphlet of Fitch's, which proved certainly that both Fitch and Rumsey had prior claims.¹ After full investigation, there remains no reason to doubt that Fitch was the first practical inventor of the steamboat. Disappointed and despondent, about 1796, he returned to his home near Bardstown, Kentucky, and gave himself up to ruinous intemperance, and died a few years after. His remains lie buried in the town graveyard.

Edward West, of Lexington, constructed a steamboat on a small scale, in 1794; and in the presence of hundreds of citizens he had the gratification to see it move with rapidity through the water, in an experimental trial on the Lower Fork of Elkhorn, previously dammed up near the center of the city of Lexington. In 1802, he had patented, on the same day, his steamboat invention, a gun-lock, and a nail-cutting and heading machine. The

¹ American Cyclopaedia. Collins, Vol. II., p. 649.

latter was the first ever invented, and in twelve hours cut over five thousand pounds of nails. It enabled Lexington at that day to export nails to Louisville, Cincinnati, and Pittsburgh.¹ Thus Kentucky was the home and burial place of the first inventors of steam as a motor for the purposes of navigation.

But the most fertile genius of invention that Lexington produced was Thomas H. Barlow. In 1827, he built a model locomotive for a railroad, with car attached for two passengers, with power to ascend an elevation of eighty feet to the mile. His most complex and wonderful production was Barlow's Planetarium, showing the planets and their most minute fractional relative revolutions. This was the only instrument in the world that perfectly imitated the motions of the solar system. In 1840, Mr. Barlow invented a rifled cannon, which is believed to have originated or suggested most of the rifled guns patented in this country and Europe. Another of his inventions was a nail and tack machine, which was promptly purchased and utilized by capitalists.

Kentucky must be credited within her borders and by one of her citizens with another of the most important inventions of the age, the discovery of the pneumatic process of converting pig-iron into steel, now known world-wide as the "Bessemer Process." In 1846, William Kelly, formerly of Pittsburgh, located near Eddyville, on the Cumberland river, and engaged in the manufacture of iron, operating two furnaces, the Suwanee and Union. These became well known for the large sugar kettles manufactured at the former furnace for the planters of Louisiana, and for the superior charcoal bloom of the latter. He was a man of remarkable originality and fertility of mind. Becoming dissatisfied with the results of slave or negro labor, which he was compelled mainly to rely on in Kentucky, he conceived and ventured the experiment of substituting it with Chinese labor, then an entire novelty in the country. Through a New York tea house he succeeded in importing a first installment of ten. The arrival created much curious excitement; and especially to the negroes the appearance of the pig-tailed Celestials was the occasion of irrepressible merriment and sport. Fifty more were soon to follow, but a rupture with the Chinese Government put an end to importation for the time. Mr. Kelly's knowledge of chemistry and metallurgy led to investigation and experiments looking to the improvement of old methods of iron manufacture; and to conceive the idea that the crude metal could be at once converted into malleable iron or steel, without the use of fuel, by simply taking the fluid metal from the ordinary furnace and placing it in a suitably-constructed furnace or convertor, then by applying powerful blasts of air from beneath and through the molten mass, effect a combination of the oxygen of the air with the carbon of the metal, thus producing combustion, and decarbonizing and refining the iron; or, if found desirable, to discontinue the process at a point where sufficient carbon would

¹ Collins, Vol. II., p. 174.

be left in the iron to make it steel. When he announced his theory to his forgermen—who had always known the iron chilled by air blown only over its surface—that he would boil metal by simply blowing air through it, they were incredulous, and naturally believed it would be chilled.

These veteran forgermen did not know of the affinity of oxygen with carbon to produce combustion and heat, a common principle of chemistry. They had consumed enormous quantities of charcoal fuel to produce this result of greater heat, and at great cost to production. They were not less surprised than convinced, therefore, when the experiment of forcing currents of air through the molten iron intensified the mass to incandescent heat, and that the effect was to decarbonize and refine the metal without the use of a pound more of fuel. Thus again the knowledge of the scientist triumphed over the experience of the artisan. Mr. Kelly made his demonstration in 1851, some four years after his first conceptions, and used it to advantage in his business for years. Situated in what was then almost a wilderness, and the nearest country press even thirty miles away, he was too isolated to take advantage of the invention, and to advertise it to the world. But such an important discovery could not long be hid away, even in this solitude. There were some English iron-workers present who took much interest in the experiment, and predicted that the "new process" would "soon make itself felt, and supersede all others." In 1856, Henry Bessemer, an iron manufacturer of England, got out in that country the first patent for the *pneumatic process*, to which his name has been given. He secured patents the same year in this country. More than a year before Bessemer was heard of, many steamboats on the Ohio river, chiefly built at Cincinnati, were using boiler-plates similar to the "Bessemer boiler-plates," made from iron prepared by "Kelly's air-boiling process." Mr. Kelly attempted to anticipate Bessemer in getting out a patent in the United States, but was delayed by the bad faith of an attorney to whom the matter was entrusted, and for whom Bessemer had out-bid. A *caveat* was granted by the Patent Office, the claim heard by the commissioner, who decided that Kelly was the inventor and entitled to the patent, which was issued. These expired in 1871, when all applications for renewal were rejected, except to Mr. Kelly, whose patent was revived for seven years, as he was adjudged the first inventor.

In the meantime, there were serious defects to be overcome in both the inventions of Kelly and Bessemer. This was successfully done by R. F. Mushet, of Cheltenham, England, who, on September 22, 1856, took out a patent for an improved process of adding to the pneumatized molten iron a molten triple compound of iron, carbon, and manganese, of from one to five per cent., overcoming the obstacle. It was in time found to the interest of all to consolidate the patents of Kelly, Bessemer, and Mushet, which was done; and Mr. Kelly, long residing in Louisville, received a royalty on his interests in the inventions. The incalculable importance of this invention

may be conceived in noting the fact that, before the process, steel commanded five times the price of iron; now, steel rails, with four times the wear of iron, are made at a difference of only three dollars per ton. The United States, which formerly imported nearly all her steel, is now the largest steel-producing country in the world.

In 1816, George Madison was elected governor and Gabriel Slaughter lieutenant-governor of Kentucky. In October, Madison having died, Slaughter succeeded him, and was duly installed, after an excited controversy as to whether he should become governor by succession, or the Legislature should order a new election. Among the topics of interest in his message, he alludes to, and furnishes, correspondence which he had with the governors of Ohio and Indiana, touching the difficulties experienced by citizens in regaining their slaves who escaped over the Ohio river, which was of the most satisfactory character. The advisability of establishing an armory is mentioned, and also that the condition of the pecuniary affairs of the penitentiary were prosperous.

He suggests the renovation and extension of the prison, the urgency of a more efficient guard, and the furnishing of prisoners with Bibles and books of moral literature, and with religious instruction; advising that all who learn good trades and conduct themselves well should have, at their discharge, a small compensation out of the profits of the institution, to purchase tools and enable them to commence business. He very lengthily advocates aid and encouragement, both to higher institutions of learning and to a system of popular schools over the State. He recommends a revision of the laws of escheat, under the belief that a large quantity of the lands of the Commonwealth is held by individuals or unsettled. A State library, he thinks, should be established at the capital; presses upon the attention of the Legislature to correct a growing evil in the sale of offices, by sheriffs and clerks, throughout the State, as a most reprehensible and immoral, as well as injurious, practice. In view of the increase of steam navigation on the large rivers, he suggests that smaller streams might be made available for the same use, by an expenditure of a reasonable amount of money to remove obstructions and improve them. Steps also should promptly be taken, in co-operation with the Federal Government, to extinguish the Indian title to that part of Kentucky Territory lying west of the Tennessee river.

This last was a question of importance; and now that the frontiersmen had extended the white settlements westward to, or within, the borders of this country, the last eastward of the Mississippi and southward of the Ohio of the original Virginia grant, now transferred to Kentucky, to which the aboriginal tribes had not forfeited their claim by treaty stipulations, the demand for negotiation and purchase of the same had become imperative. The Chickasaw nation owned the territory in both Kentucky and Tennessee between the Mississippi and Tennessee rivers, embracing some seven million

acres of fertile lands. In October, 1818, the General Government effected a purchase of all this country, and the transfer of title from the Chickasaws to the United States, for an annuity of twenty thousand dollars, to be paid for fifteen years. The portion that fell to the jurisdiction of Kentucky now embraces, in solid body, the counties of McCracken, Marshall, Hickman, Ballard, Fulton, Graves, and Calloway, a section yet designated as "The Purchase." ¹In May, 1822, Benjamin Watkins Leigh, as commissioner from the State of Virginia, appeared before the Legislature of Kentucky, and solicited the appointment of commissioners, under the eighth article of the compact between the two States, to decide points of difference and interests yet remaining open. Among these points of importance, Virginia claimed the right to locate on the lands of the Chickasaw purchase, and west of the Tennessee river, the unsatisfied military bounty warrants of the officers and soldiers of the Virginia State line. Henry Clay was unanimously elected to act in conjunction with Mr. Leigh, and to make all necessary arrangements for such commission. By June 5th, they had agreed upon articles of convention, which the Legislature ratified on the 16th following.

Since the irreconcilable differences between Dr. Walker, commissioner for Virginia, and Judge Richard Henderson, for North Carolina, appointed to run and locate the westward boundary line between Kentucky and Tennessee, no mutual and satisfactory agreement could be arrived at between the two States, although several times the subject of legislative action and negotiation. In the Legislature of Kentucky, in January, 1818, a memorial to Congress was introduced, asking that body to adopt measures to determine this annoying question. It seems to have been conceded that latitude 36° 30' north was the proper line. The objection or delay on the part of Tennessee was on account of the effect it would have on individual rights to lands lying between the said latitude and what was Walker's line, in which strip of territory both States were exercising jurisdiction. This unsettled state was having a disorderly effect upon the establishment of new counties and other interests. However, by agreement, in 1821, William Steele, on the part of Kentucky, and Absalom Looney, for Tennessee, were constituted a commission, who finally effected the location upon the line named.

²In the meantime, the financial affairs of the civilized world were in a painful state of disorder. The long wars of the French revolution had banished gold and silver from circulation as money, and had substituted an inflated paper currency, by which nominal prices were immensely enhanced. At the advent of peace, a restoration of specie payments, and the return of Europe to industrial pursuits, caused a great fall in the nominal value of commodities, accompanied by bankruptcy upon an enormous scale. In Kentucky, the violence of this crisis was enhanced by the charter of forty independent banks, with an aggregate capital of nearly ten million dollars.

¹ Collins, Vol. I., p. 30.

² Collins, Vol. I., p. 318.

which were by law permitted to redeem their notes with the paper of the bank of Kentucky, instead of specie.

These banks were chartered at the session of 1817-18. The bank of Kentucky had then resumed specie payments, and was in good credit. In the summer of 1818, the State was flooded with the paper of these banks. Their managers were generally without experience or knowledge of finance, and in some instances, destitute of common honesty. The consequences were such as might have been anticipated. Speculation sprang up in all directions. Large loans were rashly made and as rashly expended. Most of these bubbles exploded within a year, and few were alive at the end of two years. In the meantime, the pressure of debt became terrible, and the power to replevy judgments was extended by the Legislature from three to twelve months by an act passed at the session of 1819-20. During the summer of 1820, the cry for further relief became overwhelming, and large majorities of both houses were pledged to some measure which should relieve the debtor from the consequences of his rashness.

General Adair had been elected governor of Kentucky in 1820, and heartily concurred with the Legislature in the acts passed at the ensuing session. The great cry of the people was for money, and their heaviest complaint was debt. Therefore, the Legislature of 1820-21 chartered the Bank of the Commonwealth, which was relieved from all danger of suspension, by not being required even to redeem its notes in specie. Its paper was made payable and receivable in the public debts and taxes, and certain lands owned by the State, south of Tennessee river, were pledged for the final redemption of its notes. Its business was to pour out paper in profusion, in order to *make money plenty*. The creditor was required to receive this bank paper in payment of his debt, and if he refused to do so, the debtor was authorized to replevy the debt for the space of two years.

But these were not the only acts of this extravagant session. They had already one bank, the old Bank of Kentucky, then in good credit, its paper redeemable in specie, and its stock at par or nearly so. By the terms of its charter, the Legislature had the power of electing a number of directors, which gave the control of the board. This power was eagerly exercised during this winter. An experienced conservative president and board were turned out by the Legislature, and a president and board elected who stood pledged, before their election, to receive the paper of the Bank of the Commonwealth in payment of the debts due the Bank of Kentucky. This was no doubt intended to buoy up their bank, and sustain the credit of its paper. But the effect was instantly to strike down the value of the stock of the Bank of Kentucky to one-half its nominal value, and to entail upon it a suspension of specie payments.

The paper of the new bank sank rapidly to one-half its nominal value, and the creditor had his choice of two evils. One was to receive one-half his debt in payment of the whole; and the other was to receive nothing at

all for two years, and at the end of that time, to run the risk of new delays and of the bankruptcy of his securities. Great was the indignation of the creditor at this wholesale confiscation of his property, and society rapidly arranged itself into two parties, called Relief and Anti-Relief. With the first party were the great mass of debtors, and some brilliant members of the bar, such as John Rowan, William T. Barry, and Solomon P. Sharp. A great majority of the voting population swelled its ranks, and it was countenanced by the governor, and furnished with plausible arguments by the eminent lawyers already named, to whom may be added the name of Bibb. With the anti-relief party were ranged nearly all the mercantile class, a vast majority of the bar and bench, and a great majority of the better class of farmers. The mass of property and intelligence was drawn up in array against the mass of numbers, and an angry conflict commenced in the newspapers, upon the stump, in the taverns and highways, which gradually invaded the most private and domestic circles. Robert Wickliffe, of Fayette, George Robertson, since chief-justice of Kentucky, then an eminent lawyer of Garrard county, and Chilton Allan, an eminent lawyer of Clark, were early engaged in the conflict, and were regarded as leaders of the anti-relief party.

The question of the power of the Legislature to pass the act was raised at an early day, and was quickly brought before the circuit courts. Judge Clark, of Clark county, boldly decided the act unconstitutional in the first case which came before him, and brought upon himself a tempest of indignation, which thoroughly tested the firmness of his character. He was summoned to appear before a called session of the Legislature, which was convened in the spring of 1822, and violent efforts were made to intimidate or remove him by address. The gallant judge defended his opinion with invincible firmness; and partly from a want of a constitutional majority, partly, perhaps, from the suggestion that the Legislature should await the decision of the Supreme Court of Kentucky upon the subject, the legislative storm blew over, leaving the judge as it found him. He adhered steadily to his decision, and was quickly supported by Judge Blair, of Fayette, in an opinion replete with learning, temper, and eloquence.

But all awaited the decision of the Supreme Court. That high tribunal was then occupied by John Boyle, chief-justice, and William Owsley and Benjamin Mills, associate judges. These gentlemen had passed the meridian of life, and had been drilled for a long series of years to the patient and abstract severity of judicial investigation. In simplicity and purity of character, in profound legal knowledge, and in Roman-like firmness of purpose, the *old Court* of Appeals of Kentucky has seldom been surpassed. The question came directly before them in the case of *Lapsley vs. Brashear*, at the fall term, 1823, and their decision was awaited with intense anxiety by all parties. Terrible denunciations of popular vengeance in advance, if they dared to thwart the will of a vast majority of the people, were intended

to move their judgments or operate upon their fears. They had maintained an unbroken silence until called upon to act, but when the case came directly before them, the judges delivered their opinion, *seriatim* and at length, and calmly concurred with their brethren of the circuit court that the act of the Legislature was in violation of the Constitution of the United States and totally void. The clause of the Constitution with which the act conflicted was that which prohibited the States from passing any law impairing the obligation of contracts. The opinion created an immense sensation in the State, and the conflict of parties was renewed with redoubled fury.

The judiciary, by the Constitution, held their offices during good behavior. Nothing less than two-thirds of both houses could remove them. Could they hope to obtain this majority? The canvass of 1824 was conducted with the hope of obtaining this result. General Joseph Desha was the candidate of the relief party for the office of governor, and canvassed the State with that energy and partisan vehemence for which he was remarkable. He was elected by an overwhelming majority. A vast majority of both houses were of the relief party. The governor and the Legislature met in December, with passions heated by the fierce canvass through which they had passed and the unsparing wounds which they had received from their enemies. The sword was fairly drawn, and the scabbard had been thrown away by both parties. So exasperated were the passions that the minority was as little disposed to ask quarter as the majority was to give it. The three judges were summoned before the legislative bar, and calmly assigned reasons at length for their decision. These reasons were replied to with great speciousness and subtlety, for the great talents of Rowan, Bibb, and Barry were at the command of the relief party, and their manifestoes were skillfully drawn. A vote was at length taken, and the constitutional majority of two-thirds could not be obtained. The minority exulted in the victory of the judges.

But their adversaries were too much inflamed to be diverted from their purpose by ordinary impediments. The party, rapidly recovering from their first defeat, renewed the assault in a formidable direction, which had not been foreseen, and where success was clearly within their reach. The majority could not remove the judges by impeachment or address, because their majority, although large, was not two-thirds of each house. But they could repeal the act by which the Court of Appeals had been organized, and pass an act organizing the court anew. The judges would then follow the court as in the case of the District Court and Court of Quarter Sessions, and a bare majority would suffice to pass this act. A bill to this effect was drawn up and debated with intense excitement during three days, and three protracted night sessions. Wickliffe denounced the party, with fierce and passionate invective, as trampling upon the Constitution. Rowan replied with cold and stately subtlety. On the last night, the debate was protracted

until past midnight. The galleries were crowded with spectators as strongly excited as the members. The bill was passed by a large majority in the House of Representatives, and by a nearly equal majority in the Senate.

No time was lost in organizing the new court, which consisted of four judges. William T. Barry was chief-justice, and John Trimble, James Haggin, and Rezin H. Davidge were associate justices. Francis P. Blair was appointed clerk, and took forcible possession of the records of Achilles Sneed, the old clerk. The old court, in the meantime, denied the constitutionality of the act, and still continued to sit as a court of appeals and decide such causes as were brought before them. A great majority of the bar of Kentucky recognized them as the true court, and brought their causes by appeal before their tribunal. A great majority of the circuit judges obeyed their mandates as implicitly as if no reorganizing act had passed. A certain proportion of cases, however, were taken up to the new court, and some of the circuit judges obeyed their mandates exclusively, even refusing to recognize the old court. A few judges obeyed both, declining to decide which was the true court.

This judicial anarchy could not possibly endure. The people, as the final arbiter, were again appealed to by both parties, and the names of relief and anti-relief became merged in the titles of new court and old court. Great activity was exerted in the canvass of 1825, and never were the passions of the people more violently excited. The result was the triumph of the old-court party by a large majority in the popular branch of the Legislature, while the Senate still remained attached to the new court, the reactionary impulse not having had time to remold it.

In consequence of this difference between the political complexion of the two houses, the reorganizing act still remained unrepealed, and the canvass of 1826 saw both parties again arrayed in a final struggle for the command of the Senate. The old-court party again triumphed, and at the ensuing session of the Legislature the obnoxious act was repealed, the opinion of the governor to the contrary notwithstanding, and the three old judges re-established, *de facto* as well as *de jure*. Their salaries were voted to them during the period of their forcible and illegal removal, and all the acts of the new court have ever been treated as a nullity.

The census of 1820 reported the population of Kentucky at 564,317, an increase of thirty-six and one-third per cent. over that of the previous decade. This ranked Kentucky as the sixth State in the Union in point of population. Of these, 434,644 were whites, 2,759 free colored, and 126,732 slaves, showing the increase of the latter to be approximately fifty-seven per cent. The messages of the governors and other records of the time almost uninterruptedly point to the fact of uniformly propitious seasons and abundant harvests with which the generous and exuberant virgin soil of Kentucky rewarded the husbandman, and laid the foundation of general prosperity in all other industries.

In 1820 and after, the greater number of the steamboats that plied the Ohio and Mississippi and their navigable tributaries were owned by enterprising citizens of the Commonwealth, engaged in a commerce of vast importance both in Europe and America. Already had there been developed a considerable amount of mechanical ingenuity, made of great practical utility and introduced into the industrial arts. Some of these inventions became of great value throughout the world. From 1817 to 1820, statistics show that there were some sixty factories in busy employ at Lexington, and about the same at Louisville. Over two millions of dollars of capital were invested in each city in these establishments, a considerable sum for that day. There were other important centers of manufacturing in the State, showing the early impetus and advantages, but which have not been followed up with that vigor and enterprise which might easily have made Kentucky, with her vast internal and natural resources of soil and climate, of mineral riches, and extended and varied forest growth, the first manufacturing district west of the mountains.

Among the oddities and inconsistencies of the legislation of these years were the repeated granting of lottery privileges for educational, benevolent, and even *religious* purposes—an offense to all disinterested and pure public sentiment, and dishonoring the fair name of the Commonwealth with making the General Assembly and executive the instruments of one of the most insidious and revolting forms of social vice. We find amid the statutes a lottery authorized to raise ten thousand dollars to improve Kentucky river, one to raise five thousand dollars to improve the Maysville and Lexington road, another to raise four thousand dollars to build a union *house of worship* in Frankfort, another of twenty-five thousand to build a medical college at Lexington, and another for draining the ponds about Louisville. Yet, while engaging in this very disreputable encouragement to one of the most universally demoralizing species of gambling, the most honorable Assembly, in December, 1823, passed very stringent laws against gambling. To the immemorial and pernicious habit of special legislation indulged in by that body, we may properly attribute the inconsistency.

Governor Joseph Desha, having entered upon his term of office in 1824, sought occasion to call attention to what appeared to be dangerous innovations or encroachments upon the rights of the State. He viewed with alarm the establishment of branches of the United States Bank within the Commonwealth. When the laws of Kentucky demanded that these should be taxed, as other property, the judges of the Federal Court, assuming the prerogative of restricting the taxing power of the State, in a manner wholly unlimited, issued their order and restrained the collection of the tax imposed by the Legislature. It was complained that a majority of the late Court of Appeals of the State, after maintaining that the United States Bank was unconstitutional, refused to carry the law imposing the tax into effect, because the United States Supreme Court, in a Maryland decision, had expressed a

contrary opinion. These banks had acquired property and power in the State, and yet were exempt from bearing their proportion of the burdens of government.

These institutions had, for a series of years, carried on a systematic attack upon the legislative power of the State, for the double purpose of curtailing the sphere of its exercise and rendering themselves entirely free of its authority. In both State and Federal courts attacks were made on the validity of the State laws, in which the banks contended that they were not binding on the Federal courts, and could affect no contract which might be sued on in these tribunals. The power thus assumed and exercised by the Federal judges was viewed, both in principle and practice, as nothing short of despotism.

It was also complained that the wrongs suffered by the United States Supreme Court decision, declaring the occupant laws to be unconstitutional, had not been redressed. In the meantime, the baneful influence of the decision was spreading. At every term of the Federal court sitting at Frankfort, judgments and decrees were given against citizens for lands, and the houses and improvements made on same, sacrificing all, and in despite of State laws to the contrary. Others of State acts were as stubbornly disregarded. The faithful citizen, losing title, must also pay rents upon his own improvements, upon eviction, or, if unable, he must go to prison, under the rules of the court. He urged that the doctrine that the opinion of the Federal court, on subjects involving the rights of States, is binding and conclusive on State authorities, is not only erroneous, but fatal to the sovereignty of the State.

Governor Desha also recommended the curtailment of salaries of officials, and of general expenditures, and by all means to avoid sinecures. The same policy of economy was suggested toward the officers of the Kentucky banks, as in many cases they seemed to be disproportioned to the services rendered. It was believed that many of the subordinate officers might be dispensed with, and the profits thus increased. These reductions were important, as the improved value of the currency in which taxes were collected would much increase the burdens of the tax-payers.

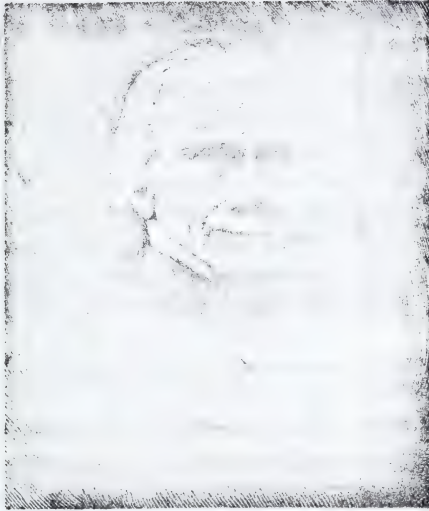
¹The interest in State affairs, of late so exciting, seemed now to yield to the more absorbing issues of national politics. In the presidential contest of 1824, Mr. Adams had been elected over General Jackson by the vote of Mr. Clay and his friends from Kentucky and Missouri. The sentiment and sympathy of the West were mainly for Jackson, and this action under the lead of Clay gave great umbrage to the friends of the defeated contestant. On the appointment of Mr. Clay as secretary of state by Mr. Adams, and his identification with his administration, the resentful spirit of the opposition fiercely and openly alleged that there were bargain and intrigue behind this support by Clay and appointment by Adams, and this charge entered largely into the discussions of the day. The old distrust of Massachusetts by

Kentucky was yet strong in the breasts of the people, and this had much to do with the prejudice to Adams.

The new-court party zealously opposed the administration, and denounced Mr. Clay as an apostate from the ancient republican party, notwithstanding Adams himself had been of that party for twenty years. As earnestly and passionately did the old-court party rally to the support of Mr. Clay in the vote he gave, adhering to the administration. It soon became apparent that the old-court party was losing the predominance it had won in the former contest. The attraction and glare of military renown and the wondrous magnetism of Jackson gave inspiration to his friends, while the unpopular name of Adams was proving a dead weight to their opponents.

¹The great contest of 1828 was coming on, and nowhere was the excitement greater than in Kentucky. The gubernatorial election came off in August, and the National Republican, or old-court party, selected General Thomas Metcalfe as their candidate for governor, and the opposition, under the popular name of Democratic Republican, put forward William T. Barry as their leader. Metcalfe had begun life as a stonemason, and by his energy and talents had arisen to honor and distinction, having served ten years in Congress. His personal popularity was very great. Metcalfe was elected, but by a small majority, while the opposition carried their lieutenant-governor and a majority of the Legislature. In November, Jackson swept the State by a majority of eight thousand, and Adams was beaten in the United States by an overwhelming vote. Although Clay was not directly involved in the contest, yet the popular verdict was felt to have compromised him. Notwithstanding the plausible defense of friends of the course of Mr. Clay, the charges of collusion were reiterated by his enemies, and even openly repeated by General Jackson himself. The intense feeling of the mutual hostility of parties, and the questionable influence of other leaders, led the party that had supported Mr. Adams to promptly rally on Clay as the most available man for the presidential struggle of 1832, in which indications already made it certain that Jackson would be a candidate for re-election.

²With Clay directly before the people, the "National Republican" party in Kentucky felt confident of regaining their ascendancy in the State. His brilliant eloquence, his courage, his energy of character, his indomitable spirit, made him a fit competitor for Jackson, who possessed some of the same qualities in an equal degree. During the conflicts of 1829 and 1830, the Jackson supremacy was maintained in the Legislature and in the delegates to Congress, but in the fall of 1831, the Clay party, as it was called by many, obtained a majority in the Legislature, and this was strikingly made manifest to the Union by the election of Clay to the Senate of the United States. A majority of the congressional delegation, however, were still of the Democratic or Jackson party, and it was uncertain which party had obtained a majority of the popular vote.



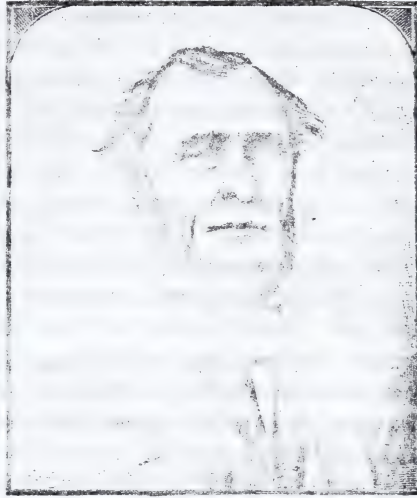
HENRY CLAY.

The great contest of 1832 came on. Jackson and Clay were the competitors for the presidency, and Kentucky had to choose a successor to Metcalfe in the gubernatorial chair. Judge Buckner was the candidate selected by the Nationals, and Breathitt by the Democrats or Jackson party. Great efforts were made by both parties, and Breathitt was elected by more than one thousand votes. Immense rejoicings upon one side and bitter mortification upon the other were occasioned by this result. But the Nationals instantly called a convention, which was well attended, and organized for a decisive strug-

gle in November, with a spirit exasperated, but not cowed, by their recent defeat. The Democrats also held a convention, and it became obvious that the preliminary trial of strength in August was only a prelude to the decisive conflict which was to come off in November. The intervening months were marked by prodigious activity on both sides, and the excitement became so engrossing that all ages and both sexes were drawn into the vortex. The result was a signal and overwhelming triumph of the National Republicans. The popular majority exceeded seven thousand, and the party which then triumphed held uninterrupted possession of political power in the State long years after. Although the triumph of Clay was complimentary in Kentucky, he was totally defeated by Jackson in the general election, and that popular chieftain was re-elected by a great majority.

Though the intrepid spirit of Henry Clay sustained his prestige as the undaunted and unrivaled leader of his party and famed him as the most gifted orator and statesman of America, there was just appearing above the political and public horizon in Kentucky, in the decade of 1830-40, two characters whose genius, learning, and eloquence promised to rival the forensic splendors and powers of the *Great Commoner* himself. The masterly logic, the vast and varied classical learning, the marvelous wealth of trope and metaphor, the beauty of rhetoric, the graceful elegance of phrasing, the flights of fancy, and the keen shafts of satire with which the orations and speeches of Thomas F. Marshall entranced his audiences are as familiar to many now living as household words. Nor do these forget how sadly the dazzling sun of this brilliant intellect too early sank behind the somber clouds of intemperance, whose holocaust of ruin has brought more of woe and desolation to the people of Kentucky than all wars, pesti-

lences, and famines, and yet exists a blight upon our society and a disgrace to our civilization. Fewer remember young Richard H. Menefee, rivaling Patrick Henry in the fervor, and passion, and eloquence of oratory, and surpassing him in logic and in learning. With the flash of the meteor, his genius blazed athwart the political heavens for a little while, then faded out of view at the touch of that fell destroyer, consumption, in premature death. An extract from the eulogy of Thomas F. Marshall on the character of his rival—the tribute of one genius to the memory and virtues of another—will best describe the two great orators, who then illustrated the forum of Kentucky.



THOMAS F. MARSHALL.

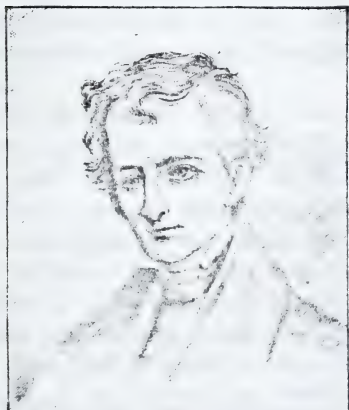
¹ "It is a public misfortune and an injustice to the fame of Richard H. Menefee, brilliant as it is, that his speeches in the Legislature were not preserved. Regarding him, as I have already said, with the deepest interest, and under circumstances very favorable for observation, I described him as he impressed himself upon me. The great characteristic of his mind was strength, his predominant faculty was reason, the aim of his eloquence was to convince. With an imagination rich, but severe and chaste, of an elocution clear, nervous, and perfectly ready, he employed the one as the minister, and the other as the vehicle, of demonstration. He dealt not in gaudy ornaments or florid exhibition; no gilded shower of metaphors drowned the sense of his discourse. He was capable of fervid invective, vehement declamation, and scathing sarcasm; but strength—strength was the pervading quality; and there was argument even in his denunciation. No giant form set forth his common height, no stentor voice proclaimed a braggart in debate; yet he did possess the power of impression—deep, lasting impression—of interesting you, not only in what he said, but in himself, of stamping upon the memory his own image, in the most eminent degree, and the most extraordinary manner, of any man of his age whom it has been my fortune to encounter.

"The same destiny attended him in Congress which had marked his entrance upon State legislation. There were no gradations in his congressional history. He comprehended at once, and as if by instinct, the new scene in which he was called to act, and no sooner did he appear than he was recog-

¹ Eulogy on Menefee, delivered before the Law Society of Transylvania University, at Lexington, April 12, 1841.

nized as a statesman and a leader. The intrepid boldness of his character, and surpassing strength of his genius, seemed to have smitten all parties with astonishment. Some of the leading men of the political party to which he was opposed pronounced him the most extraordinary man of his age who had till then appeared in Congress. He encountered hostility in his upward flight (when did soaring genius fail to do it?), and meaner birds would have barred him from his pathway to the skies. With crimson beak and bloody talons, he rent his way through the carrion crew, and moved majestically up to bathe his plumage in the sun. Never did a career more dazzlingly splendid open upon the eye of young ambition than burst upon Menefee. The presses teemed with his praise, the whole country was full of his name; yet did he wear his honors with the ease of a familiar dress. He trod the new and dizzy path with a steady eye, and that same veteran step which was so eminently his characteristic. Around his path there seems to have been thrown none of those delusions which haunt the steps of youth and inexperience. All was stern reality and truth. He maintained his character undimmed, and position unshaken, till the end of his term, and then this wonderful man imposed upon himself, his spirit, and his ambition, that iron control of which I have spoken, and voluntarily retired from a theater the most elevated and commanding upon which genius and ambition, like his, could engage in the gigantic strife for undying honor.

"In the summer of 1839 he located himself in Lexington for the practice of law. There was no dreary novitiate with him. He stepped into the



RICHARD H. MENEFEE.

forum armed at all points, and business flowed in upon him in a full and rich tide. Never did any man occupy such a position in Kentucky as did Menefee in the opening of his professional career in Lexington. The public sympathies rallied around to cheer and support him, in a manner utterly unknown in any other case. Each step of his progress but deepened the interest and vindicated more triumphantly the opinion entertained of him. Men flocked in crowds to hear him speak; his counsel was sought and relied upon, and his services engaged whenever it was practicable, at points distant from the scene of his immediate operations. At a period of life when most men are just rising into business, he was steeped, actually overwhelmed, with the weightiest, most honorable, and most profitable causes. The sun of prosperity broke out upon him with a warmth and brilliancy entirely without example. All difficulties had vanished from before him.

"He, in a grand and final effort, exalted himself; and in that effort, pouring forth his genius and his life, reached the consummation of his first wishes.

the utmost point of his childhood's prayer. He was measured and found a match for *one* whose thunders long have shaken the American Senate, and who was erst the monarch of the forum. Mr. Menefee declined gradually from September. His waning life sank, not his spirit. When apprised at last that his hour had arrived, 'Brief summons!' was the reply, and he manned himself to die with dignity.

"Thus perished, in the thirty-second year of his life, Richard H. Menefee, a man designated by nature and himself, for inevitable greatness. A man of the rarest talents and of the most commanding character. A man whose moral qualities were as faultless as his intellectual constitution was vigorous and brilliant. A man to whose advancing eminence there was no limit but the constitution of his country, had not the energies of his mind proved too mighty for the material element which enclosed them."

¹The fate of the Commonwealth's Bank, and the replevin laws connected with it, was sealed by the triumph of the old-court party. The latter were repealed, and the former was gradually extinguished by successive acts of the Legislature, which directed that its paper should be gradually burned, instead of being reissued. In a very few years its paper disappeared from circulation, and was replaced by the issue of the United States Bank, of which two branches had been established in Kentucky, the one at Lexington and the other at Louisville. It was the policy of the great Jackson party of the United States to destroy this institution entirely, and the re-election of Jackson, in 1832, sealed its doom. It became obvious to all that its charter would not be renewed, and the favorite policy of that party was then to establish State banks throughout the Union, which were to supply its place.

As soon as it became obvious that the charter of the Bank of the United States would not be renewed, the Legislature of Kentucky, at its sessions of 1833 and 1834, established the Bank of Kentucky, the Northern Bank of Kentucky, and the Bank of Louisville; the first with a capital of five million, the second with a capital of three million, the third with a capital of two million dollars. The result of this simultaneous and enormous multiplication of State banks throughout the United States, consequent on the fall of the National Bank, was vastly to increase the quantity of paper money afloat, and to stimulate the wildest spirit of speculation. The nominal prices of all commodities rose with portentous rapidity; and States, cities, and individuals embarked heedlessly and with feverish ardor in schemes of internal improvement and private speculation, upon the most gigantic scale. During the years of 1835 and 1836, the history of one State is the history of all. Each rushed into the market to borrow money, and eagerly-projected plans of railroads, canals, slack-water navigation, and turn-pike roads, far beyond the demands of commerce, and in general without making any solid provision for the payment of the accruing interest, or re-

imbursement of the principal. This fabric of credit was too baseless and unreal to endure.

In the spring of 1837, all the banks of Kentucky and of the Union suspended specie payments. Kentucky was then in the midst of a scheme of internal improvement, upon which she was spending about one million dollars annually, embracing the construction of turnpike roads and the improvement of her rivers, and she was eagerly discussing railroad projects on a princely scale. Her citizens were generally involved in private speculations, based upon the idea that the present buoyant prices would be permanent, and both public and private credit had been strained to the utmost.

In this state of things the Legislature of 1837 met, and legalized the suspension of the banks, refusing to compel them to resume specie payments, and refusing to exact the forfeiture of their charters. A general effort was made by banks, government, and individuals to relax the pressure of the crisis as much as possible, and great forbearance and moderation were exercised by all parties. The effect was to mitigate the present pressure, to delay the day of reckoning, but not to remove the evil. Specie disappeared from circulation entirely, and the smaller coin was replaced by paper tickets, issued by cities, towns, and individuals, having a local currency, but worthless beyond the range of their immediate neighborhood. The banks, in the meantime, were conducted with prudence and ability. They forbore to press their debtors severely, but cautiously and gradually lessened their circulation and increased their specie, till after a suspension of rather more than one year they ventured to resume specie payment. This resumption was general throughout the United States, and business and speculation again became buoyant. The latter part of 1838, and nearly the whole of 1839, witnessed an activity in business, and a transient prosperity, which somewhat resembled the feverish ardor of 1835 and 1836. But the fatal disease still lurked in the system, and it was the hectic flush of an uncured malady, not the ruddy glow of health, which deluded the eye of the observer.

In the autumn of 1839, there was a second general suspension of specie payments, with the exception of a few Eastern banks. It became obvious that the mass of debt could not much longer be staved off. Bankruptcies multiplied in every direction. All public improvements were suspended; many States were unable to pay the interest of their respective debts, and Kentucky was compelled to add fifty per cent. to her direct tax, or forfeit her integrity. In the latter part of 1841, and in the year 1842, the tempest so long suspended burst in full force over Kentucky. The dockets of her courts groaned under the enormous load of lawsuits, and the most frightful sacrifices of property were incurred by forced sales under execution. All at once the long-forgotten cry of relief again arose from thousands of harassed voters, and a new project of a Bank of the Commonwealth, like the

old one, was agitated, with a blind and fierce ardor, which mocked at the lessons of experience, and sought present relief at any expense.

This revival of the ancient relief party assumed a formidable appearance in the elections of 1842, but was encountered in the Legislature with equal skill and firmness. The specific measures of the relief party were rejected, but liberal concessions were made to them in other forms, which proved satisfactory to the more rational members, and warded off the fury of the tempest which at first threatened the most mischievous results. The middle term of the circuit courts was abolished. The magistrates were compelled to hold four terms annually, and forbidden to give judgment save at their regular terms. The existing banks were required to issue more paper, and give certain accommodations for a longer time and a regular apportionment. These concessions proved satisfactory, and at the expense of vast suffering during 1843 and 1844, society gradually assumed a more settled and prosperous state.

The subject of internal improvements in various forms and places engaged the early attention of the people of Kentucky. The first organized efforts in this direction were suggested by the natural obstructions to travel, and the almost impassable condition at certain seasons of the year, which made the passage of wagons and other vehicles of conveyance so difficult and unpleasant upon the main inland lines of immigration, and along the main thoroughfares. As far back as 1797-1802, parties were authorized to construct and maintain *turnpikes* on the road from Crab Orchard to Cumberland Gap, from Paris to Big Sandy, and other lines. The common designation of turnpike, applied to roads graded and bottomed with stone or gravel, is very different from the original and literal meaning of the word. The specific meaning of turnpike refers only to the toll gate established by law, and where money is collected for the use of any improved road. The first turnpike roads, therefore, were formed by throwing the earth from the sides to the center, in a rounded form, and in keeping them in this state of repair.

The bedding of roads with stone and gravel was an invention of MacAdam, and hence such are properly known as *Macadamized* roads. ¹ In December, 1826, Governor Desha, in his annual message, advocated in very decided language the extension of State aid to a main highway from Maysville, via Paris, Lexington, and Frankfort, to Louisville, and also to other similar lines. He says: "The subjects of common schools and internal improvements may be made auxiliary to each other. Let the school fund now in the Bank of the Commonwealth, \$140,917, the proceeds of the sales of vacant lands, the bank stock held by the State, \$781,238, and all other funds which can be raised by other means than taxes on the people, be vested in the turnpike roads; and the net profits from tolls on these be sacredly devoted to the interests of education."

¹ Collins, Vol. I., p. 537.

In May, 1827, the Maysville and Lexington Turnpike-road Company was incorporated anew, with a capital of three hundred and twenty thousand dollars. The General Government was expected to subscribe for one hundred thousand dollars, and the State government for another one hundred thousand dollars, of this. The secretary of war ordered a survey of the route for a great national highway from Zanesville, Ohio, through Maysville, Lexington, Nashville (Tennessee), and Florence (Alabama), to New Orleans. In February, 1828, the Legislature of Kentucky recommended Congress to facilitate and aid the construction of this important national highway, and instructed our delegation in Congress to support the measure. The bills passed the House, but, by the coincidence of a very close vote, it was defeated in the Senate by the unfortunate vote in opposition, by Senator John Rowan, of Kentucky, and at a time when President John Adams would readily have signed it.

In May, 1830, a bill passed Congress authorizing the United States Government to subscribe one hundred and fifty thousand dollars to the stock of the Maysville, Paris, and Lexington macadamized road, which bill, to the consternation of the friends, as well as to all friends of internal improvement, was vetoed by President Andrew Jackson. This determination was accepted as a precedent to govern the future policy of the administration on such measures, and hence became an exciting and absorbing topic of discussion throughout the country. This paralyzing blow was but temporary in its effect. The energy of the friends along the route seems only to have gathered new vitality and impetus, and most liberal private subscriptions were made. From January, 1830, until five years after, the State Legislature appropriated \$213,200 toward the construction from Maysville to Lexington, one-half the cost. The system of State aid to macadamized roads, thus fairly inaugurated, was extended in succeeding years, until the subscriptions by the Commonwealth to all such reached an aggregate of \$2,539,473. In 1837, three hundred and forty-three miles of these roads had been completed, and two hundred and thirty-six miles more were under way. It may be interesting to note here that in March, 1827, the Legislature of Maryland chartered the first railroad in the United States—the Baltimore & Ohio. It was not completed through to the Ohio river until March, 1853, twenty-six years after.

The broader and more formidable work of improving the navigable streams within the State began to attract attention as early as 1793. Until the year 1833, these enterprises did not extend to a further improvement than the clearing of the channels of such streams of all obstruction to such navigation as was in vogue at the time. Transportation by water was mainly done as yet by flat-boats and barges, and the smaller streams were for a long time the channels of transportation by these only. During the two decades from 1790 to 1810, the channel improvement of Licking, Hinkson, and Stoner, the Kentucky and its three forks, Red river, Green and Barren

rivers, Mud and Pond rivers, and Rough creek were the subject of legislative enactment. Green and Barren rivers, however, were the first to receive the serious attention of the State Government. This was begun in surveys for locking and damming those streams, so as to make them navigable by slack-water continuously. This work was inaugurated in 1833, and by 1836, one hundred and twenty-five thousand dollars had been appropriated, and mainly expended in engineering and upon the first locks. By this date only some \$5,108 were expended on the Kentucky river, and \$1,273 on the Licking.

The total amount expended on the permanent improvement of navigation on Green and Barren rivers to Bowling Green, requiring four locks in Green and one in Barren, was \$859,126. From 1843 to 1865, twenty-two years, thirteen annual dividends were paid out of the tolls on these rivers, yet, on the whole, the expenses were \$269,813, against \$265,002 of receipts, showing a total excess of \$4,811 of expenses in twenty-two years. In the report of 1844, the Board of Internal Improvements asserted that the works on Green river cost the State *five times* the estimate of 1833, and on Kentucky river, three to four times the estimate. The average cost per mile on Green river was \$5,010, against the estimate of \$1,283, for one hundred and eighty miles, or nearly fourfold.

Surveys and estimates were made for Rockcastle, upper and lower Cumberland, Goose creek and North Fork of Kentucky river, Salt, Little and Big Sandy, Licking, and other rivers of lesser note.

In 1836, the total estimated cost of seventeen locks and dams, after a survey from the mouth to Middle Fork of the Kentucky river, and on two hundred and fifty-seven miles of channel route, was \$2,297,416, or an average of \$8,922 per mile. But five of the locks and dams were completed, from the mouth of the river to Steele's ripple, above Frankfort. The gross receipts on Kentucky river navigation from 1843 to 1865, twenty-three years, were \$461,781, against a total of expenditures of \$303,707, leaving a net revenue of \$158,074, making an average annual dividend of three-fourths of one per cent. on the invested capital.

Another enterprise of national importance quite early commanded the attention of the Kentucky Legislature. In December, 1804, an act was passed incorporating the Ohio Canal Company, designed to construct a canal from Louisville to Portland, with capacity to pass all boats by the Falls. The charter was afterward amended, requiring the canal to be cut on the Kentucky side of the river, making it real estate, and exempting it from all taxation forever. The governor was directed to subscribe for fifty thousand dollars of the five hundred thousand dollars stock capital, with an option for fifty thousand more. Other options were given for the United States to subscribe sixty thousand dollars; Pennsylvania and Virginia, thirty thousand dollars, each; and Maryland, New York, and Ohio twenty thousand dollars, each. Subsequent legislation provided similarly for this work, without prac-

tical results, until 1826, Governor Desha, in his message to the Legislature, in December, called special attention to the urgent necessity and value of this work, both for its pressing utility and the value of the investment as a pecuniary resource. In this same year Congress ordered the purchase of one hundred thousand dollars of the forfeited stock. As many as one thousand men were employed during the summer and fall of 1826. Various interruptions and changes retarded the completion of the canal, until it was finally opened for navigation in 1831. The entire cost of construction to January, 1832, was \$742,869.

Until January, 1840, the reports of dividends showed that the investment was richly remunerative to the stockholders. In 1838 and 1839, the dividends reached fourteen and seventeen per cent., and in the interim stock sold as high as one hundred and twenty and one hundred and thirty dollars per share. The United States Government, in 1842, owned twenty-nine hundred and two shares of the stock, of the par value of \$290,200. After this year, no dividends were declared, the net earnings up to 1859 being appropriated to the purchase of stock owned by private individuals, which was held in trust by the directors. After 1859, the income was expended in the enlargement and improvement of the canal, or held to create a sinking fund to pay off the bonds issued in aid of enlargement. In 1866, this extension work stopped for want of funds, after \$1,825,403 had been expended, making the total cost to February, 1868, \$2,823,403. The cost of completing the enlargement on the scale projected was estimated by the engineer in charge to be \$1,178,000. The city of Louisville and the State having declined to embark more funds in the enterprise, the ownership and control gradually fell to the General Government, which, from 1868 to 1872, appropriated \$1,300,000 toward the proposed completion. In 1874, it took final action toward assuming the payment of \$1,172,000 of bonds outstanding, and then assumed possession of this great and important public work, making it henceforth a free canal, excepting small charges to meet repairs and provide proper attention.

The Falls of Ohio around the canal, and in the river channel, have a length of about three miles, while the canal is about two miles long. The fall of water in this distance is twenty-five and a quarter feet, sufficient to furnish motive power, if utilized, to run three hundred factories and mills, and to thus support fifty thousand people, and which, in a great manufacturing section, would doubtless have been utilized years ago, and made a source of vast industry and wealth.

We have noted the fact that the Baltimore & Ohio railroad was chartered in 1827, and the first built in the United States. It was completed from Baltimore to Cumberland long before 1848, and then to the Ohio by 1853. In March, 1830, Joseph Bruen, of Lexington, exhibited the model of a railroad, locomotive steam-engine, and car, creating the belief that carriages and heavy freights could be as easily and certainly drawn by steam power

as boats could be propelled. In April, a survey of a route showed the altitude of Lexington to be four hundred and thirty feet above that of Frankfort. October 22, 1831, the first sill for the Lexington and Frankfort R. R. was placed, in the presence of a large concourse of citizens and strangers attracted. The model for this plan was the result of the investigations of a committee appointed to travel East and ascertain the method of constructing a railroad. By their report, stone was quarried and dressed with one straight edge, to be set upward and closely together, forming exact parallel double lines of curbing. On the face of this curbing the flat rails were laid horizontally, and fastened down by spikes driven through corresponding mortises in the rail and rock. Of course, all this roadbed machinery went to pieces before an experimental trial could be effected. After persevering efforts for a few years, on the 25th of January, 1835, the first locomotive and train of cars from Lexington arrived at the head of the inclined plane at Frankfort, in two hours and twenty-nine minutes, amid the enthusiasm of the gratified populace. The railroads from Louisville to Frankfort, from Lexington to Covington, from Paris to Maysville, and from Louisville to Nashville followed after the first experiment. The subsequent history of the remaining lines of the State system of railways is familiar to the most of our readers of to-day.

We turn again to note with profound interest the religious phenomena and progress during the first half of the present century, a period as marked for the waning power of the old and effete idiosyncracies of ecclesiastic dogmatisms and politics, and the restoration of the simplicity and majesty of apostolic truth and practice, as any within the Christian era. The animating inspiration of civil and personal liberty pervading our political life, itself the divine fruitage and outgrowth of the universal equality of the rights of manhood to each personality divinely taught in the infallible text-book of Christianity, incited a degree of intellectual activity and progressive investigation which was not less reformatory in religion than in politics, in science, in art, and in invention. The conservatism of Europe still held, bound in fetters, the liberty of thought, as well as the liberty of person and action. We need not wonder, then, that the world owes more to America in the first century of its political life, for all important inventions and reforms which exercise a potential influence over the affairs of mankind, than to all Europe for the past twenty centuries. If this is true with reference to the discoveries of steam as a practical motor, of the cotton-gin, of the sewing-machine, of the electric telegraph, of the telephone, of agricultural machinery, and other useful inventions, it is not less true of progressive development toward primitive truth in politics and in religion. In practical inventions of steam as a motive power, and in other useful arts and sciences, to the citizenship of Kentucky belongs the claims of rivalry, while in the doctrines of republican government which aim at personal and civil liberty, and in the reforms looking to a restoration of religion to its original integrity

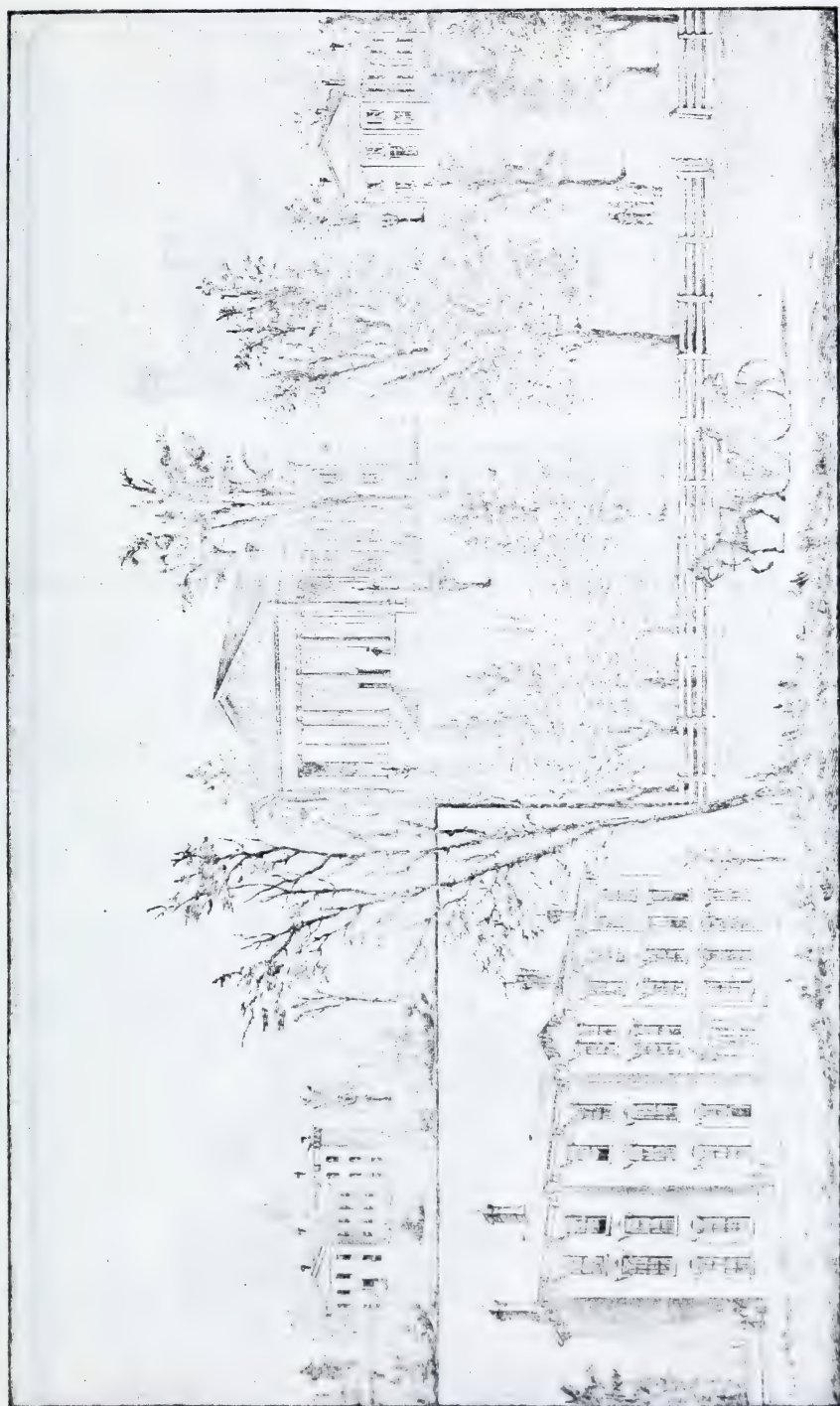
and purity, as taught by its divine author and His apostles, she may well claim equal honors with any other country of like population in the world.

The *Baptist Church* suffered a schism of no great material importance, but showing the effervescence of agitated sentiment, in 1804, by the withdrawal of Tarrant, Barrow, and a number of other ministers, with some lay following, on account of their implacable hostility to slavery. They intruded these sentiments upon their associations, and demanded open discussion and endorsement. These bodies generally declared it improper for ministers, churches, or associations to meddle with this or any other political subject. The abolition element, styling themselves "Friends of Humanity," withdrew from the General Union of the Baptists, and in 1807 formed an association of their own, called "The Baptist Licking-Locust Association." Their numbers soon dwindled and the body wasted to nothing.

¹In 1809, a local schism was effected by an element of considerable influence in the churches of the Elkhorn Association, originating in alienations and dissensions between Jacob Creath and friends of the one party and Thomas Lewis and friends of the other. Yet the progressive growth of the Baptist Church continued uniformly, and in 1812, the statistics show that they had thirteen associations, two hundred and eighty-five churches, one hundred and eighty-three ministers, and over twenty-two thousand six hundred members. No serious disturbance interrupted the steady growth of the church for the succeeding twenty years. About the year 1829 and after, the noted religious reformation, led by Alexander Campbell and Barton W. Stone mainly, divided associations and churches, and carried off thousands from this and other denominational bodies. While this great movement depleted its numbers and strength for some years, the Baptist Church has maintained a steady and vigorous growth throughout the subsequent years and to date.

In the statistical tables of the minutes of the General Association of 1890, but representing the figures of 1891, the exhibits show totals of 1,441 churches and 143,288 members reported; also 618 Sunday-schools and 36,991 scholars; contributions to State and district missions, \$11,811; to home missions, \$6,347; to foreign missions, \$8,427; and for all church purposes, \$309,900. Statistics of the same year show the colored Baptists of Kentucky to have 509 churches, 615 ministers, 68,137 members, 14,000 Sunday-school pupils and 2,875 teachers, 5 academies and universities, 3 journals, and church property valued at \$275,000.

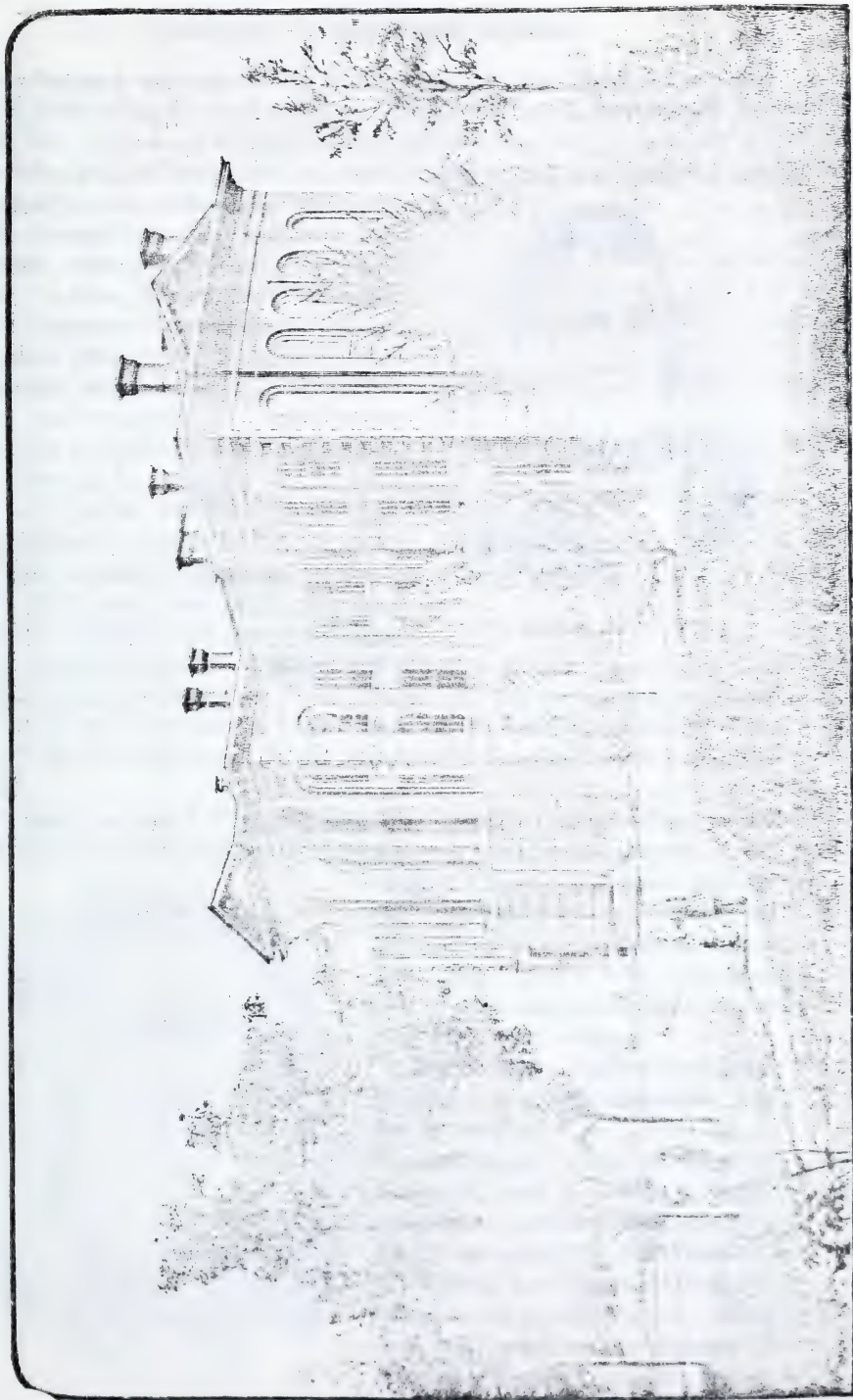
Under care of the Baptist Church, institutions of learning have been established. Chief among these in general education stands Georgetown College, an institution which may claim precedence over all others of like importance, for long-continued and uniform usefulness in Kentucky, excepting, perhaps, Centre College. Indeed, it is the fifth Baptist college or university, in the order of time, on the Western Continent, and the first south



PAWLING HALL.

MAIN BUILDING.
GEORGETOWN COLLEGE.

ACADEMY.



CENTRE COLLEGE, DANVILLE, KY.

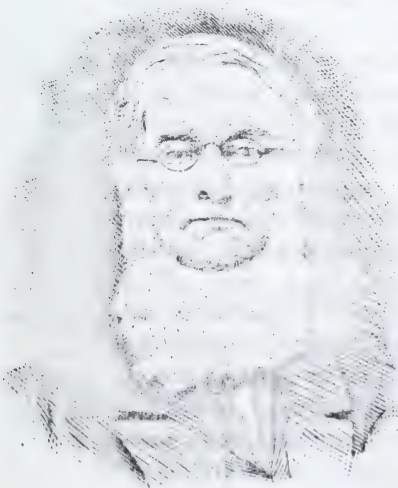
of the Potomac and west of the Alleghanies. It was chartered in 1829, and in June, 1830, Dr. Joel S. Bacon was the first president installed. In 1838, Rev. Rockwood Giddings succeeded to the same position, and in a brief time put the institution in prime condition, and increased the subscription to the endowment fund to eighty thousand dollars. His death was lamented after a brief service of two years. In 1840, Rev. Howard Malcolm, D. D., assumed the presidency, and for ten years discharged the duties of the office with uniform success. This prosperity was continued for twelve years under the presidential administration of Rev. Duncan R. Campbell, D. D., LL. D. In 1852, he was elected president of Georgetown College, filling the position until his death, August 16, 1865.



REV. DUNCAN R. CAMPBELL.

In 1871, Rev. Basil Manly, D. D., was made president, and during his eight years' administration the college was prosperous. In June, 1879, Dr. Manly having resigned, Rev. R. M. Dudley, D. D., was elected president, and served until his death in 1893. In 1893, Dr. A. C. Davidson, of Covington, Ky., was appointed to the presidency so recently made vacant by death.

In addition, Bethel College, James H. Fuqua, A. M., president, represents the educational interest in West Kentucky, under the auspices of the Baptist Church, and ranks high in the excellence of its training of young men for the varied callings of life. The "Enlow fund" furnishes aid to any ministerial student who may enter this college.



ELDER THOMAS P. DUDLEY.

The Southern Baptist Theological Seminary, after long discussion, was finally removed from Greenville, S. C., and located a few years ago at Louisville, and is now in a highly prosperous condition, with an able faculty composed of President W. H. Whitsitt and Professors Sampey, Kerfoot, Robertson, Dargan, Harris and McGlothlin. The Baptists of Kentucky pledged \$300,000 for its location, and \$200,000 was to be

raised outside of the State. In 1885, the eligible and spacious grounds on Broadway, between Fourth and Fifth streets, were purchased as a site for the early construction of suitable buildings for the Theological Seminary. Two hundred and sixty-seven students, mainly from the Southern States, were in attendance for the session 1894-95.

Of the ministers of the "Particular" Baptist Church who have adhered with greatest firmness and consistency during the present century to the faith and doctrines of extremest Calvinism as embodied in the Philadelphia confession of faith, no man stands forth more conspicuously in the religious history of Kentucky than Rev. Thomas P. Dudley, who, at his home in Lexington, at the advanced age of ninety-four years, died July 10, 1886.



REV. WILLIAM VAUGHN.

Rev. William Vaughn, who began and ended his ministry in the intermediate period of Kentucky history, was born in Pennsylvania, February 22, 1785. He was ordained to the ministry in 1812, and was held in high esteem by the brotherhood of the Baptist Church during the long period of his labors. By his devotion to study, he became not

only a good English scholar, but possessed considerable attainments in the Greek language and literature. In 1831-33, as agent for the American Sunday-school Union, he accomplished a great work in establishing about one hundred schools. In 1836, he became pastor of the Baptist Church at Bloomfield, to which he preached for thirty-two years.

In 1868, in consequence of an injury received by a fall, he resigned his pastoral charge, in his eighty-fourth year, but continued to be a close student, and to preach as his strength would serve him, until he was over ninety-two years of age. It is probable that no minister in Kentucky was ever more universally loved and respected. He died March 31, 1877, at the advanced age mentioned above.

The status of the Christian Church assumed proportions in Kentucky, such as demand our attention here. The movement resulting in its separate existence began in Western Pennsylvania in 1809, and in Kentucky and Ohio as far back as 1801, the nuclei of its extension in America and abroad.

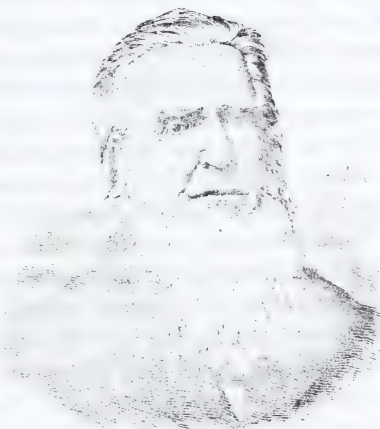
Thomas Campbell, born in Ireland, February 1, 1763, was the first to break away from the prevalent ideas of the church. He was educated in the University of Glasgow, Scotland, and became a minister of the Scotch Seceder (Presbyterian) Church. His labors as preacher and teacher impaired his health. April 8, 1807, under advice from his physician, he

made a voyage to this country, leaving his son, Alexander, in charge of his school and family. In thirty-five days he landed in Philadelphia, and soon afterward in Washington county, Pennsylvania. Finding here, as in Europe, a multiplicity of religious sects, and impressed with the resultant evils he determined upon an effort to unite the people. His broad, tolerant spirit soon drew many godly persons from variant parties into the movement. August 7, 1807, the "Christian Association" of Washington county, Pennsylvania, was formed. From this was issued the "Declaration and Address" written by Thomas Campbell, and published in 1809. "It was a remarkable production—for its catholicity, its supreme exaltation of the word of God, its clear, unequivocal statement of the only apparent practical ground of union, and its enunciation of all the principles of the rising religious movement." The same fall his family joined him. Alexander read the proof-sheets of the address, and heartily approved.

He was born September 12, 1788, in the county of Antrim, Ireland. His ancestors were, one side, Scotch, and on the other, Huguenots. The son, like the father, was deeply impressed with the evils of sectism, and was imbued with a profound reverence for the word of God. The two became inseparable in a common purpose, in full accord with the principles of the address; but the application of them to the solution of questions of faith and practice was the work of years.

Earnest study of the Bible led both, with others, to substitute immersion for affusion; and June 12, 1812, they were immersed by a Baptist minister. Having discarded infant baptism, they became identified with the Redstone (Baptist) Association, stipulating, however, that they should be bound by no human creed. In this connection they would have continued to labor as ministers, but some of its members, intolerant of innovations, annoyed them much by proscriptiveness, and they withdrew, uniting with the Mahoning Association, where they had greater freedom of utterance. This step inaugurated the new movement in the great Ohio river valley, where, ever since, a strong center has been maintained. Walter Scott, born in Scotland, October 31, 1797, a young man of fine culture and genius, became a most helpful coadjutor. Likewise, the Creaths, Bosworths, Johnsons, and others pushed forward the work, bringing over whole churches, mostly Baptist.

From necessity Alexander Campbell entered the field of controversy.



ALEXANDER CAMPBELL.

His first debate was held at Mount Pleasant, Ohio, with Rev. John Walker, a Presbyterian, in 1820. It was published in 1821, and attracted so much attention that it seems to have led to another discussion at Washington, Kentucky, with Rev. W. L. McCalla, a Presbyterian, in 1823. This was published in 1824. A third discussion, on the Evidences of Christianity, was held with Robert Owen, in 1829; one on Romanism, with the late Archbishop Purcell, in 1837, and one with Dr. N. L. Rice, in 1843, at Lexington, Kentucky. Meantime, he was publishing from 1823 a monthly called the *Christian Baptist* until 1830 when the title became the *Millennial Harbinger*. His oral debates and writings, freely circulated in Kentucky, brought over many Baptists and Presbyterians, with others, to the cause he so ably pleaded. And Kentucky thus became an important center of influence and a stronghold. The way had already been paved in this State, and this was brought about by the labors mainly of Barton W. Stone, once a minister of the Presbyterian Church, but who, with a number of brethren, had been preaching much the same tenor with the Campbells since 1801. He was the founder and leader in Kentucky of the "Christian Connection," invidiously named "New Lights." From the early part of the century, he had been contending, in advance even of the Campbells, with some associates gathered around him, in Kentucky and Ohio, for the union of Christians on broader Bible grounds. Mr. Stone had suffered much aspersion, however, from imaginary unsoundness on the doctrines of the Trinity and the atonement. But a harmonious understanding having been reached by these two great leaders, the churches respectively represented by them were practically united in 1832. John T. Johnson, John Smith, the Rogers, and others were efficient agents in securing the union upon the word of God alone, all agreeing that, although there is but one faith, there are, and must be, many opinions, which, as such, should not be made tests of fellowship. Speculations on the unrevealed are not to be made bonds of union.

The Disciples originally, as now, professed to aim at the restoration of Christianity in everything simply taught in its apostolic deliverance and embodiment. Hence, their only creed: *Jesus is the Messiah, the Son of the living God*. They hold that no other confession of faith was required by the Apostles, nor any rule of faith and practice other than the Holy Scriptures, authoritative because given by inspiration of the Holy Spirit. They reject all human creeds as authoritative, believing them to be divisive and destructive of the unity of the Church of God in Christ. The simple congregational organization they hold to be the highest jurisdiction within the Church, ordained of God for men.

They baptize—immerse—the penitent believer only for (in order to) remission of past sins, receiving only such baptized persons into fellowship, who, if they continue loyal to Christ until death, are assured of eternal life.

They consider the Lord's day worship not wholly and scripturally fulfilled without the observance of the Lord's Supper, as was the ancient custom.

In organization, they are congregational for the functions of government, yet they confer together for purposes of co-operation in good works. But no conference or council has legislative or judicial power over congregations.

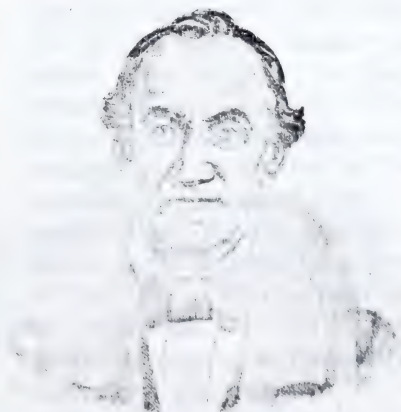
As individuals or as churches, they acknowledge no distinctive religious names other than those that are scriptural. Hence, they repudiate the name "Campbellite," as also did Mr. Campbell himself. They respond to any scriptural name, as Disciples, Disciples of Christ, Christians, Churches of Christ, etc. The whole body of believers, or Christians, in all the world, and, for that matter, in all time, they speak of as the body of Christ, the Church of Christ, or the Church of God. By custom of law courts, they are known in some districts as Christian Churches, or, all considered together, as the "Christian Church," and many congregations call themselves Christian Churches, as the equivalent of Churches of Christians.

They firmly hold and teach the tri-personality of God as Father, Son, and Holy Spirit. The pervading sentiment resulting from Bible study is Trinitarian and Arminian; but they ignore all speculative systems of theology as tests of fellowship, requiring faith in Jesus as the Christ, the Son of God, and sincere obedience to all Divine commands, as the decisive tests of Christian character. A generally accepted motto is, "Unity in faith, diversity in opinions, charity in all things."

From the first the Disciples of Kentucky have been aggressive, as is always the case of those who have strong convictions. They have also been noted for Bible intelligence and educational enterprise.

The number of ministers in the State is over five hundred; the number of communicants is about ninety-two thousand, in some nine hundred churches.

John T. Johnson, who, in 1829-30, became deeply interested in the views presented in the writings and teachings of Alexander Campbell, began the work of the ministry, and, severing his connection with the Baptist Church in 1831, he organized a church upon the basis of the Bible alone. From that time forth he gave his life service in the cause to which he had consecrated himself. Associating himself with Stone in the effort, they were mainly instrumental in effecting the union of 1832-34 between the Christians and Reformers, those of views in harmony with Mr. Campbell being called by the latter name. His call to the ministry was the more remarkable, as his life hith-

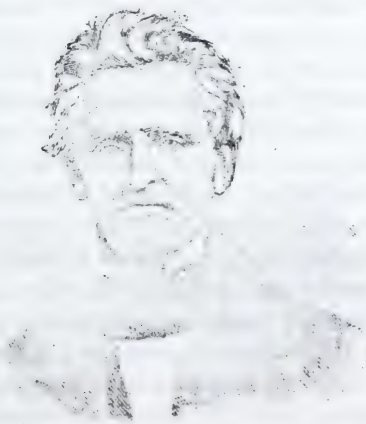


REV. JOHN T. JOHNSON.

erto had been prominent and eventful. He was born at the Great Crossings, in Scott county, October 5, 1788, the eighth child of Colonel Robert Johnson, and a brother of Richard M. Johnson, afterward vice-president of the United States. His education was fair for the times. He chose the profession of law and practiced for awhile. He was a volunteer in the war of 1812-15, and performed gallant services throughout, acting for some time as aid to General Harrison, and had his horse shot under him at Fort Meigs. On his return home, he was five times elected to serve his constituency in the Legislature, and twice to Congress. For nine months he was judge of the "new" Court of Appeals, pending the excited discussion of the *old* and *new* court questions. His political future was bright and promising, when he gave up all secular callings to devote himself to the service of the Christian religion. From 1829 until the date of his death, at Lexington, Mo., December 17, 1856, no man ever more faithfully and singly devoted his entire energies of mind and body to a loved cause than did John T. Johnson, not less a hero in the field of the ministry than he and his gallant brothers were upon the field of battle. In preaching the Gospel, in advancing the educational enterprises of his church, in founding and promoting benevolent institutions, and in fostering mission work at home and abroad, no brother or comrade of the ministry ever threw his soul into his calling more than did this noble man of God.

Of the men of great power in Kentucky, who were prominent preachers during this period of the Christian Church, there were John Smith, the Creaths, the Rogers, B. F. Hall, Walter Scott, William Morton, Aylett Raines, John Allen Gano, Curtis J. Smith, Philip S. Fall, and others who might be mentioned.

¹John Smith was born on the 15th of October, 1784, in Sullivan county, East Tennessee, in the log cabin of the day and country. His schooling was of the sort the frontier settlements then afforded. In 1795 his father sold out and moved his family to a new farm in the valley of Cumberland river, at the foot of Poplar mountain, in Stockton's valley. His parents were Baptists and firm believers in the Philadelphia confession of faith, and in 1804 he was baptized into this faith. In 1808 he was ordained to preach, and entered zealously into the ministry. In 1815, while on a tour from home, and his



ELDER JOHN SMITH.

wife at a neighbor's beside the bed of a dying woman, his house and its contents were burned, and his two oldest children perished in the flames. This visitation of sorrow was followed soon by the death of his wife, and the sad bereavements for a time bowed him to the earth. With chastened heart, he recovered his spirits again, and was ever after noted for his uncomplaining cheerfulness and humor. In 1823-24 he became deeply interested in the views of Christianity presented by Mr. Campbell, and soon embraced and began to preach them. From this time until his death, in Mexico, Missouri, on the 28th of February, 1868, Elder John Smith devoted the whole services of a godly and zealous life actively in the mission he had chosen. Without pretense to scholarship, he was thoroughly familiar with every verse of the Bible and with the doctrines and arguments of the religious issues of his day. His mind was wondrously retentive and vigorous, and his words in public and private speech were luminous with logic, pathos, wit and humor, such as quickened the attention and swayed the will of the audience to a degree that few men had the power to do. With a rich, deep, and sonorous voice, and an impressive earnestness, he blended all in a gift of natural and vigorous oratory that never failed to interest and move. Though past his eighty-fourth year, his death was profoundly lamented throughout Kentucky, for his ministerial activities, even at this remarkable age, made him yet a factor of power in the pulpit and in the world outside. In the early days of his pioneer preaching, from an incident characteristic of the day, he received the *sobriquet* of "*Raccoon John Smith*," which he bore until his death. He was fortunate in his biographer. The elegant and accomplished pen of John Augustus Williams has enriched Kentucky literature with the story of his life and times in a work unsurpassed of its kind.

Under the auspices of the Christian Church there are numerous representative universities, colleges, and academies, offering facilities for education in every department of classical and scientific literature within the State. Chief among these we may rank Kentucky University, located at Lexington. This institution was the successor of Bacon College, which was established at Georgetown in 1836, and removed to Harrodsburg in 1839, and which continued, with varied fortunes, to be the leading college of the denomination in Kentucky, until 1858. In this year the Legislature granted a charter merging this college into Kentucky University. The first session of the university opened at Harrodsburg in September, 1859, with nearly two hundred students, under the presidency of Robert Milligan. With unvarying prosperity, its management continued here until 1865, when it was removed and established at Lexington, Kentucky. Mr. John B. Bowman, who had undertaken the work of endowment and improvement, had raised about two hundred thousand dollars for these purposes. The buildings at Harrodsburg having burned, and the question of a more eligible location having been raised, the removal to Lexington was consummated under the most

auspicious beginnings, upon the plans elaborated by Mr. Bowman. He solicited over one hundred thousand dollars additional in Fayette county, and purchased Ashland, the home of Henry Clay, a most attractive site for a great university. A combination had been formed by which the buildings, the grounds and the proceeds of the endowment fund of Transylvania University were to supplement the resources of Kentucky University. The history of Transylvania University is interwoven with the history of the Commonwealth. Over one hundred years ago its foundations were laid, and its growth nurtured by grants, public and private, in the fond hope of making this the leading institution of learning west of the Alleghanies. We quote from a brief sketch in the catalogue of Kentucky University for 1895:

"Transylvania Seminary was chartered by the Legislature of Virginia in May, 1783. The first meeting of its trustees was held November 10, 1783, near Danville, Ky. Its first session began February 1, 1785. After a few years the Seminary was moved to Lexington, Ky. Its first session in this place began June 1, 1789.

"By an act of the General Assembly of Kentucky, approved December 22, 1798, Transylvania Seminary and Kentucky Academy were united under the name of Transylvania University, January 1, 1799.

"After an existence of sixty-six years, Transylvania University was consolidated with Kentucky University by an act of the Legislature, approved February 28, 1865, and accepted by the curators of Kentucky University June 10, 1865."

In addition, the Agricultural and Mechanical College of Kentucky, with all its endowment funds, was brought into this combination, and under the management of the one board of curators of Kentucky University. Buildings, ample grounds, and accommodations for fifteen hundred students were thus auspiciously provided. The property and the endowment funds thus combined, and available for the laudable aim of establishing in Kentucky a university which should realize the dream of old Transylvania, and rank with the first universities of America, now amounted in value to eight hundred thousand dollars. The institution opened with faculties for the College of Arts, the Agricultural College, the College of the Bible, the Commercial College, and the College of Law. The College of Medicine, the Normal College, and other departments were but awaiting the opportunity of organization. Five hundred and two students were in attendance during the session of 1866-67, and an average of nearly seven hundred during the six succeeding sessions until 1872-73—the attendance reaching seven hundred and seventy-two in 1869-70. In the midst of this prosperity, which augured a future of hopeful success for an institution of great usefulness, prestige, and potency in the cause of education, a change of policy and management was resolved upon. This resolve terminated in a dissolution of the combination, an abandonment of the project of a com-

prehensive university, and a reorganization upon a basis more strictly denominational.

The brotherhood had determined on a separation from the Agricultural and Mechanical College and the abolishment of the office of regent. This policy was put into execution, and the Bible College also given a separate corporate existence and control. The attendance in the College of Arts for 1894-95 was two hundred and thirty-one students, and in the College of the Bible one hundred and forty-one. That of the other departments added would swell the numbers to several hundred more.

On the death of President Milligan, Henry H. White was elected his successor in 1878, resigning voluntarily in 1880. Charles Louis Loos was then made president, and yet remains the head of the faculty. Robert Graham, the venerable president of the Bible College, resigning in 1895, is succeeded by John W. McGarvey.

The Orphan School at Midway, established and endowed for the free education and support of females, the greater portion of whom have become successful as teachers in the schools of the country and in other useful callings, has now a capacity to accommodate one hundred and sixty pupils annually.

Another institution of great practical efficiency is the Kentucky Christian Education Society, the management of which is now at Lexington. The fund of this society is about forty thousand dollars, safely invested in securities, the proceeds of which, about twenty-five hundred dollars annually, are judiciously apportioned to such students for the ministry in the College of the Bible as are worthy and yet without the means of education. This fund was solicited and obtained about equally by the joint labors of Elders John T. Johnson, Robert Rice, and Z. F. Smith, in 1855-60. A charter was obtained and a board of management appointed, of which Z. F. Smith was for some twelve years president. From that beginning until date, several hundred young men have received aid necessary to their education, the great mass of whom have gone forth to proclaim the Gospel.

¹ *The Synod of the Presbyterian Church*, in 1815, erected three new presbyteries—Louisville, out of part of Transylvania; Mississippi, out of part of West Tennessee; and Shiloh, out of parts of Muhlenberg and West Tennessee. The quiet and conservative growth of the church throughout the State was, during the first third of the century, disturbed, in common with other denominational bodies, by the initial movements of the "Reformation," which was a conspicuous part of the religious history of the day. An independent presbytery was also organized, February 4, 1810, which, relieving itself of the disciplinary restrictions of the synod, began its career of extension and outgrowth into the body known as the Cumberland Presbyterian Church. With such vigor and zeal did the supporters of this important movement prosecute their mission that in three years they had grown into a

synod, formed in October, 1813, with three presbyteries—Cumberland, Logan, and Elk. In its expansion and magnitude as a factor in the religious elements of the Commonwealth, it merits a fuller historic notice.

¹In 1796 James McGready, a Presbyterian minister, settled in Logan county, Kentucky, and took charge of three congregations—Little Muddy, Gaspar river, and Red river, the latter situated near the State line separating Tennessee and Kentucky. Mr. McGready was a Pennsylvanian by birth, and had been educated at what afterward became Jefferson College in that State. He commenced his ministry in North Carolina; was a man of great earnestness, and denounced open sin and religious formalism with unsparing severity.

Soon after Mr. McGready settled in Kentucky, several other Presbyterian ministers emigrated from North Carolina and settled in Tennessee, among them William Hodge, William McGee and Samuel McAdoo, who entered earnestly into the spirit and measures of Mr. McGready in promoting the revival. There was opposition, and some of it came from other ministers of the Presbyterian Church. The extension of the religious interest multiplied converts, and new congregations sprang up all over the land. The Presbyterian method of supplying the great and increasing demand for ministerial labor was slow at that time. Some of the ministers who visited the country were not in sympathy with the revival, and their labors not acceptable. Rev. David Rice, one of the patriarchs of Presbyterianism in Kentucky, visited the Green river and Cumberland countries, and, witnessing the great destitution of ministerial labor, advised the revival ministers to select some pious and promising young men from their congregations, and encourage them to prepare for the ministry, as well as their circumstances would permit. It was not expected that they would undergo the ordinary educational training, as the demand was urgent and the means of such training were beyond their reach. The measure was adopted. Three young men were in a short time advanced to the ministry, and others were encouraged to a preparation for the work. But difficulties grew up. The opposers of the revival of course opposed the measure. The difficulties became so serious that the Synod of Kentucky appointed a commission of their body to meet at Gaspar river church and endeavor to adjust them. The attempt failed. The situation became even more involved and difficult. Reference must be made to the history of the times for the facts of contention and the final action.

There was another question of difficulty between the parties in the Church. The young men who were licensed and ordained excepted to what seemed to them the doctrine of fatalism, which appeared to be taught in several chapters of the confession of faith, and also in the catechism. The difficulties, in their view, were insurmountable: still they were advanced to the ministry without being required to adopt the doctrinal standards of the

church in this particular. These proceedings, as well as the licensure and ordination of what were called uneducated men, were very offensive to the more disciplined portion of the membership and ministry of the Presbyterian Church. The discussions were protracted through several years. The revival party considered themselves oppressed and wronged, and when there seemed no hope of redress, three of the revival ministers—who were also members of the Cumberland Presbytery, which had been constituted and then again dissolved by the Synod of Kentucky—determined to reconstitute the Cumberland Presbytery by their own authority, as ministers of the Presbyterian Church. It was a revolutionary measure, and of course the presbytery was an independent body. The presbytery was then constituted, on the 4th of February, 1810, by Samuel McAdoo, Finis Ewing, and Samuel King.

This briefly explains the origin of the Cumberland Presbyterian Church and also the name by which it is distinguished. The name of the presbytery—which was entirely local and accidental—has adhered to the people.

Within the limits of Kentucky are seven presbyteries. All these are included in one synod—the Synod of Kentucky. The membership numbers about fifteen thousand.

The first camp-meeting mentioned in our history was in the year 1800, at the Gaspar river meeting-house, in Logan county. It was held by the promoters of the great revival of which the Cumberland Presbyterian Church was an outgrowth. The practice was continued for many years; but as the country became settled, and the ministrations of the Gospel became more regular, and especially more abundant, the necessity which originated these large religious gatherings passed away and they ceased to be a useful alternative.

The theology of the Cumberland Church is conservative. It rejects the extremes of both Calvinism and Arminianism. Its doctrinal status is distinctively defined. It has a confession of faith, and some theological formulas, which it receives as helps; but Cumberland Presbyterians reject the doctrine of predestination, as taught in the theological symbols of the Presbyterian Church, under the head of "The Decrees of God." It seemed to them to make too close an approach to the *fatalistic theology*. At the same time they received, as scriptural and full of comfort, the doctrine of "the final perseverance" of believers in faith and holiness. Thus the birth throes of this large and important body were amid the agitations and convulsions of the remarkable revival work of the first decade of the nineteenth century, central in West Kentucky and Tennessee.

Laying aside the intense and rigid conservatism, and the restrictive disciplinary jurisdiction of the venerable parent church, and moved with inspiration and missionary zeal, akin to that imparted to the following of Wesley and Whitefield in the evangelic Methodist reform, the Cumberland Presbyterian body built up and increased, until, some few years since, they

claimed within the jurisdiction of their one synod and seven presbyteries, a membership of over fifteen thousand, almost wholly confined to the western half of the State.

The Parent Presbyterian Church comes prominently to view again. In the period from 1840 until 1855 or '56, the harmony and unity of the body within was disturbed by what was known as the "New School Schism," and which had extended throughout the United States from 1838. In 1840 this defection began in Kentucky, at which time an adjourned convention, held in Lexington, resolving itself into a synod, assumed an independent stand, and soon after joined the New School Assembly. In 1846 it embraced three presbyteries—Harmony, Providence, and Green river—with fourteen ministers and twenty-one churches, besides nine hundred and fifty-four communicants. From 1834 to 1854, a period of twenty years, statistics show that there was but little perceptible increase of membership, or material prosperity, in the Presbyterian Church in the State, the total membership ranging from eight thousand three hundred and seventy-eight in the former to eight thousand four hundred and sixty-five in the latter year. In 1855-57, this New School controversy, which raged with much bitterness and alienation among ministers and churches throughout the United States, was amicably settled, upon terms mutually agreeable, and the disaffected came back to the bosom of the old church.

¹ The opening of the civil war in 1861, with all the passions of political and religious partyism stirred to their lowest depths, proved a baleful element of dissension and division in the Presbyterian Church in Kentucky. The General Assembly still held jurisdiction here, for the synod of the South had not withdrawn from it. The former body had initiated the practice of adopting resolutions upon the state of the country, thus inclining the highest court of the church to become a propagandist of political sentiment. In behalf of the element within the Confederate jurisdiction, and those in sympathy with them, Dr. Charles Hodge protested, urging that it was practically making a political question a standard of admission into the church. The Kentucky Synod of 1861 expressed its grave disapprobation of the action of the assembly as being repugnant to the word of God, as interpreted in the confession of faith. The act of the assembly was repeated from year to year; and in 1864, the synod gave expression to its dissent in very positive language. After the close of the great civil strife in 1865, the assembly undertook to discipline the conscience of the church into submission to the political dicta which had been repeatedly uttered pending the state of war, requiring:

First—The appointment of domestic missionaries to be made only on satisfactory evidence of their cordial sympathy with the assembly in her testimony on *doctrine, loyalty, and freedom*.

Second—All ministers from the Southern States applying for membership in any of the presbyteries, to be examined as to their participation in

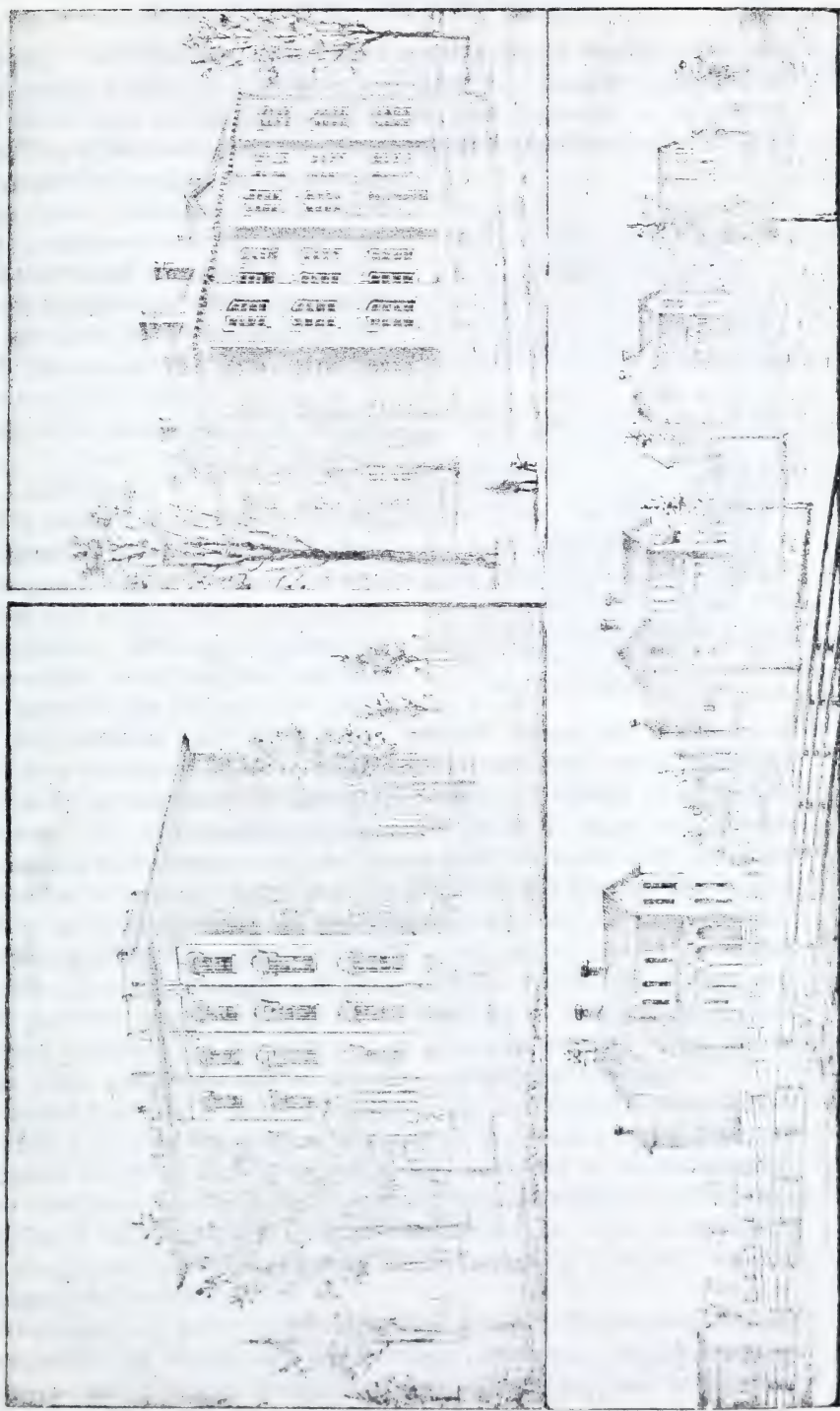
the rebellion, and their views on the subject of slavery; and before admission, to confess their sin and forsake their error, if their action and views did not accord with the assembly's testimony.

Third—Ordering church sessions to examine all applicants for church membership from the Southern States, concerning their conduct and principles on the points above specified, and to refuse them admission on the same ground.

Fourth—Requiring presbyteries to erase from their rolls, after the expiration of a certain time, any minister or ministers who may have fled or been sent by civil or military authority beyond the jurisdiction of the United States during the civil war, unless such give satisfactory evidence of repentance.

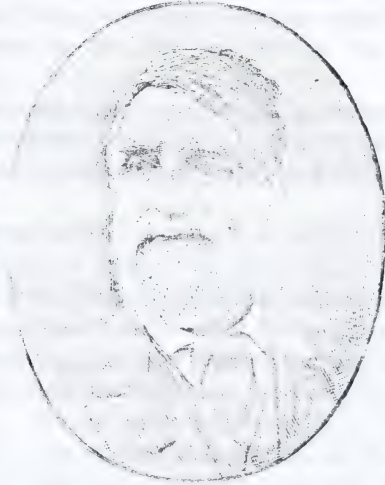
A protest was put forth to this, called a "declaration and testimony against the erroneous and heretical doctrines and practices which have obtained and been propagated in the Presbyterian Church in the United States in the last five years." This was signed by quite a number. In the synod at Louisville in 1865, an attempt was made to prevent the admission to seats of such signers, which was defeated by a vote of one hundred and seven to twenty-two. A resolution disapproving the act of the assembly was carried by a vote of seventy-six to twenty-two. In the assembly of 1866, at St. Louis, the delegate commissioners from Kentucky who had signed the "declaration and testimony" were excluded from their seats by the action of the body and summoned to appear before it at its next session. When the Kentucky Synod met at Henderson the same year, it ignored this order of the assembly, and openly, upon its records, refused to recognize the validity of its acts with reference to the protesting "declaration and testimony" signers. It then proceeded to appoint a committee on missions to raise money for their mission uses, to request its ministers to act as evangelists, and to express the desire and intent to co-operate with all churches and synods North and South who might disapprove of the proscriptive action of the assembly. At the meeting of the assembly in 1867, the commissioners of the synod and presbyteries so dissenting were again refused seats, and were declared to be "in no sense true and lawful synod and presbyteries in connection with, and under the care and authority of, the General Assembly of the Presbyterian Church of the United States."

The termination of these dissensions and alienations was the separation of the declaration and testimony element in Kentucky and a union with the Southern Assembly, which met at Mobile in May, 1869. In 1871, there were reported seventy-eight ministers, one hundred and twenty-six churches, and seventy-six hundred members for the Southern Church in Kentucky. Naturally, the distinguishing title of "Northern" and "Southern" attached to two bodies so separated upon purely sectional and political issues. Those who resisted the declaration and testimony protest and renunciation remained firm in their loyalty to the assembly. After the division of the synod at Henderson, in 1866, this party proceeded to the work of the reorganization and perfection of its plans, in accord with the jurisdiction of the old



CENTRAL UNIVERSITY BUILDINGS, RICHMOND, KY.

assembly. An effort was made toward re-union, but in October, 1867, the loyal synod, meeting at Covington, expressed its "decided opposition to said union upon the basis proposed by the joint committee of the general assemblies of the two bodies, which is particularly objectionable." In 1871, the respective strength of this division of the church in Kentucky was reported at fifty ministers and fifty-seven hundred and twenty-one members. In this historic controversy, the loyal element was led by Dr. R. J. Breckinridge, Dr. E. P. Humphrey, and others, and the protesting party mainly by Drs. R. L. Breck, Stuart Robinson, S. R. Wilson, Gelon H. Rout, Thomas A. Bracken, and associates.



REV. T. A. BRACKEN, D. D.

The contending sections of the great Presbyterian body had, after the heat of long controversy, alienated and congealed into two separate and distinct organizations, differing, it appears, not substantially in the doctrines and faith and forms of the old orthodox body, but irreconcilably upon an intrusive political animus and authority, a disturbing element in the denominational Troy of peace, utterly foreign to the nature and mission of the immaculate religion professed by all Christ's followers. The strife drifted into the courts, and of the angry and stubborn contentions that characterized the issues none attracted more attention within and without the church than the litigation over the question of common or exclusive rights in the proprietorship and use of Centre College. The claims of the old assembly evidently taking precedence, the young and vigorous infant organization, just sprung from her vexed loins, at once, and with powerful energy, assumed all the functions of independent denominational existence, and prepared to meet its extensive wants. Chief among these wants was felt the need of a leading institution of learning.

Central University.—The rise of this young and vigorous institution to its present commanding position, within little more than a single decade of corporate existence, may be traced to the confluence of two movements, each of which was made in the interests of higher education in Kentucky. The first of these movements was an ecclesiastical one, and was the result of a conference of committees from the two synods of Kentucky, held in Lexington in November, 1870.

The conference proved barren of practical results. The Southern Synod, convinced of the futility of all further efforts to secure a recognition of any property rights in Centre College, and wearied with long years of litigation

in the civil courts, gave up all hope of reinstatement in the possession of this time-honored institution, and began to bend all its energies toward the establishment of another.

At the next meeting of the synod, in November, 1871, resolutions were introduced by Dr. Stuart Robinson, and passed by the synod, looking to the immediate endowment and equipment of a college upon the same plan and with the same scope as the one just lost to the Southern church.

But a higher conception and aim, and a new movement, arose out of the general conviction in the minds of men of intelligence, wealth, and culture, that the need was of a university of the highest order and upon the most liberal scale.

This conviction found expression in a convention held in the city of Lexington on the 7th and 8th days of May, 1872, the members of which, after organizing themselves into a permanent association, addressed a memorial to the Synod of Kentucky, then about to assemble in the same city, urging the immediate establishment of an institution of learning, under the auspices of the synod, of the highest order and upon the broadest and most

liberal basis, and pledging to the synod the earnest co-operation of the association in an effort to establish the same. This appeal met a generous response from the synod. A plan of organization was effected, which adjusted the mutual relations of the synod and the association in the government of the institution. Popular confidence was aroused, and in an incredibly short time two hundred thousand dollars had been subscribed toward the proposed endowment of five hundred thousand dollars. A charter was procured, which vested in the donors of the endowment, and such others as they might associate with themselves, the ownership and control of the



REV. GELON H. ROUT, D. D.

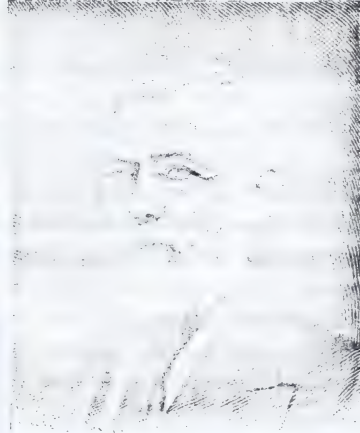
university, under the title of the Central University of Kentucky. This proprietary association, which is known as the Alumni Association of Central University, fills its own vacancies and elects its own successors from among the alumni of the institution and its liberal benefactors, thus forever keeping the university under the control of those who have the highest interest in its welfare. Its government and the management of its funds are entrusted to the chancellor and fifteen curators, two-thirds of whom, under the charter, must be members of the alumni association.

Richmond, the county seat of Madison county, in the midst of a beau-

tiful and productive portion of the bluegrass region of Kentucky, was selected for its location.

Here, on Tuesday, September 22, 1874, the university opened its first session in a large and commodious building, that had just been erected in the center of the spacious grounds, commanding a view of the country for many miles, and of the mountains nearly or quite to the Tennessee and Virginia lines.

Rev. R. L. Breck was the first chancellor, and was supported by an able board, conspicuous in which, for his interest and zeal, was the lamented S. P. Walters, of Richmond. In the struggles of the Presbyterian church, Dr. Breck was an early leader. Of strong convictions, of unwavering courage, and devoted to the interests of Church and State, he was ever ready to contend for what he deemed the truth and right. The best energies of his life were given to Central University, and to him, while in this service, was its founding mainly due. Life, health, and personal considerations were sacrificed in its interests. Failing health necessitated his resignation as chancellor and seeking its restoration in the milder climate of California. Dr. Breck is a son of Hon. Daniel Breck, whose wife was a daughter of General Levi Todd, and was born at Richmond, May 8, 1827. He graduated at Centre College, and studied theology at Alleghany and Princeton. His ministry was in Kentucky, Macon (Georgia), and New Albany until the war; since 1865, at Richmond, Kentucky, and in California.



REV. R. L. BRECK.

Three of the four colleges contemplated under the charter opened at this time.

Notwithstanding the favorable auspices under which the university was inaugurated, it soon began to encounter waves of financial trouble. Difficulty was experienced in collecting the subscriptions. The chancellor, Dr. Breck, resigned his important post. Dr. Pratt also resigned the presidency of the College of Letters. The College of Law suspended for want of proper support. The situation was critical, and many of the friends of the university became timorous as to its power to survive. Just then the attention of the alumni association and of the synod was called to Rev. L. H. Blanton, of Paris, Kentucky, a comparatively young man, but of ripe scholarship and rare executive ability, and already recognized as one of the foremost educators of the State. He was called to the chancellorship, and Rev. J. V. Logan, D. D., synod's professor of ethics, was promoted to the vacant

presidency; and while Dr. Logan presided with admirable judgment over the college, Dr. Blanton threw all his energy into the work of consolidating and broadening the financial basis of the institution. His wise methods and cheerful words soon restored the fullest confidence in the future of the university. Generous contributions to the endowment again began to flow in, and the institution has gone steadily forward, increasing every year in patronage, lifting higher every year the standard of instruction and scholarship, until now it stands abreast of any similar institution in the country, and is regarded as one of the chief ornaments of the Commonwealth.

Lindsey Hughes Blanton, D. D., was born in Cumberland Co., Va., July 29, 1832, and was graduated at Hampden Sidney College; also at Danville Theological Seminary, in Kentucky. His services have been with the Presbyterian Church at Versailles, at Salem, Virginia, and as chaplain in the Confederate army. In 1868 he was pastor of the Paris church, Kentucky, which was greatly increased and strengthened under his ministry.

The number of students in attendance upon its various colleges for

the year 1894-95 was seven hundred and fifty-four, distributed over many States. Its faculties of instruction, in the colleges at present in operation, are those in literature, in medicine, in dentistry, and in theology.

The university is particularly fortunate in its chancellor, to whom it owes in large measure its present influence and prosperity. Though comparatively a young man, he has developed the highest qualities as an educator. An able and popular preacher, an erudite and accurate scholar, he combines with these gifts large and liberal views of the subject of education, and that rare executive

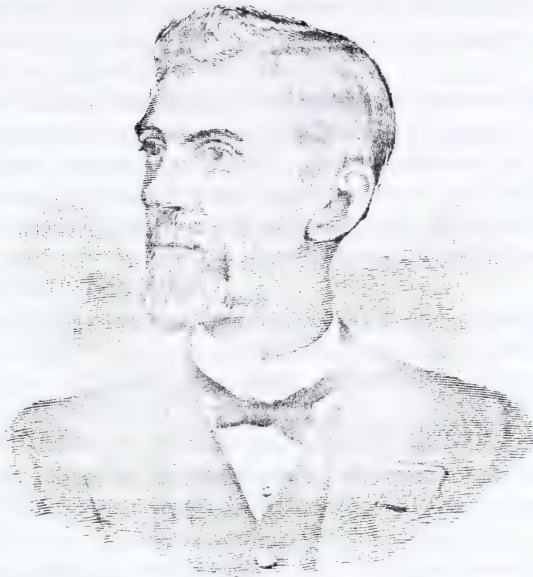


JAMES VENABLE LOGAN, D. D.

and administrative ability which enables him to carry out his ideals as an educator, giving them practical form.

A provisional class in theology was organized and instructed until the permanent establishment of the college at Louisville, in 1893, under the style of the Presbyterian Theological Seminary. Auxiliary schools are provided to be established in the State, in the charter of Central University; two are located, one each at the sites of Elizabethtown and Jackson.

The reports of the Southern Presbyterian Church in Kentucky, for some years, give us proximately the following statistics of interest: Total com-



REV. LINDSEY H. BLANTON.

municants, fifteen thousand; Sunday-school scholars, ten thousand. Of the sums contributed for various purposes annually, we have enumerated: For sustentation, seven thousand dollars; evangelistic fund, fifteen thousand dollars; invalid fund, fifteen hundred dollars; foreign missions, ten thousand dollars; education, seven thousand dollars; publication, fifteen hundred dollars; pastors' salaries, sixty-two thousand dollars; congregational purposes, seventy-five thousand dollars; and miscellaneous, seven thousand dollars; a total of two hundred and ten thousand dollars.

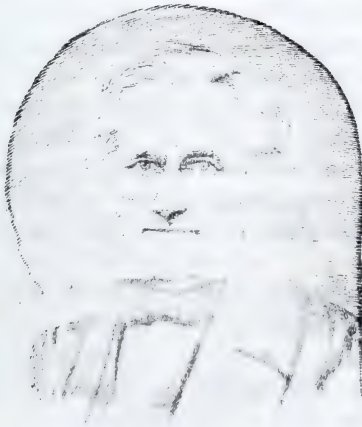
After the separation of the North and South divisions of the church, venerable Centre College, with all its possessions and prestige, remained under the auspices and management of the old assembly, at Danville. So much does it enter into the educational history of Kentucky that we have elsewhere treated of its origin and relations to other great institutions of learning of the past. Chartered in 1819, it was under State control until 1824, when the synod of Kentucky purchased its franchises and control.

Centre College is thus shown to be one of the oldest institutions of learning in Kentucky, or in the South or West, having sent out its first graduating class in 1824. It has been prosecuting its work successfully, and without interruption, from that day to this. No year has passed that it has not sent its graduates into the field. Among the alumni are many, both of the living and the dead, who have greatly distinguished themselves in their

respective professions, and have attained the highest positions of honor and trust, especially throughout the South and West, where they chiefly reside, or where they did reside while they lived.

Centre College has educated seventeen college presidents, forty-one college professors, fourteen representatives in Congress, four United States senators, five governors of States, one vice-president of the United States, one justice of the United States Supreme Court, twenty-four circuit judges, state and national, thirty-seven editors, etc. No institution in Kentucky has sent out, year by year, a class of graduates reflecting more credit and honor on their Alma Mater.

Of its distinguished presidents, no other was so long and prominently identified with its history, during the *ante-bellum* period, as John Clark Young. This distinguished minister and scholar has left the impress of his character and work, as a leading educator, as widely and indelibly upon the educated mind of the present and preceding generations of the South and West as any other man in our history. He was a transplant from Pennsylvania to Kentucky, in the year 1828. He had been thoroughly trained in a classical school, Columbia College, in New York city, and graduated in Dickinson College, Pennsylvania; after which he spent four years of study in Princeton Theological Seminary, twice graduating with honors. But two years in Kentucky, he accepted the presidency of Centre College in 1830, and served with that success and favor which have made his name and administration so much a part of the most attractive features of the peaceful and progressive history of the Commonwealth, until his death in 1857—



JOHN CLARK YOUNG

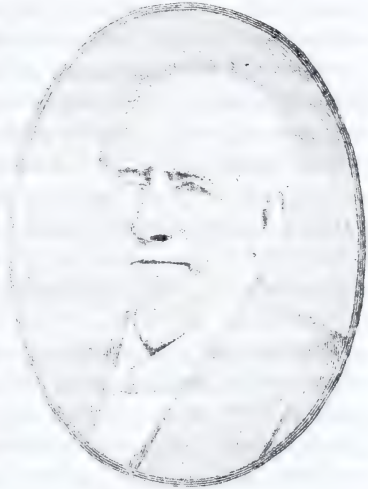
twenty-seven years. In the year of his death, there were in attendance on the college and its academy two hundred and fifty-two pupils and forty-seven graduates. He was a firm and uniform advocate of emancipation, and signalized his devotion to the cause by his able writings and addresses upon this exciting topic. His style of speaking was most effective from the tenderness, power, and fascination of his appeals to the heart and conscience, in which he excelled, as well as in the freshness, originality, and force of his illustrations and logic. He was always superior as a public speaker, rising often to the plane of most attractive and pleasing oratory. Few men were more beloved while living, or died more lamented.

It is a fitting tribute to the name and worth of this eminent educator, that his son should succeed to the presidency of this venerable and honored institution. On the death of Dr. Ormond Beatty in 1890, William C.

Young was chosen to the vacancy occasioned thereby. He reluctantly accepted, amid the protests and appeals of the members of the Presbyterian church, in Louisville, to whom he had endeared himself by years of faithful ministry. As president of Centre College, and as a minister of great power and popularity, the mantle of the father is worthily worn by the son.

President Ormond Beatty was born in Mason county, Kentucky, in 1815, and became a student of Centre College in his seventeenth year, graduating in 1835. His rare abilities and proficiency as a student led to his appointment to the professorship of natural science in his *Alma Mater* before his graduation. He accepted on condition that he be allowed to spend a year at Yale College.

From this chair he was transferred, in 1847, to that of mathematics, but in 1852 was restored to his original chair. In 1870, he was elected president of the college and to the chair of metaphysics. His versatile, thorough scholarship enabled him to fill all these positions with ability. Thus, it will be seen that Dr. Beatty acted as president and professor in Centre College for half a century. He was also, several times appointed commissioner to the General Assembly of the Presbyterian Church, and served under appointment of that body and others in positions of highest trust and responsibility. He was a delegate to the first general council of the Presbyterian alliance in Edinburgh in 1877, and also to the second meeting of that body in Philadelphia in 1880. In 1882, he was elected the first president of the College Educational Association of Kentucky. In 1883, he represented the trustees of the Theological Seminary at Danville, before the General Assembly at Saratoga, to show reasons for not disturbing the relations and control of that institution.



PRESIDENT ORMOND BEATTY.

Dr. Beatty was a man of great natural ability and a profound scholar, possessing a mind singularly logical and practical. A man of remarkably equable temper and a speaker of rare force and clearness. He had few equals as a public debater. His death occurred June 24, 1890.

Though colleges of a high grade have successfully multiplied in the South-west since the civil war, Centre College continues in favor with the patronizing public. In the college and academy for the session of 1884-85, the attendance of students was two hundred and eight.

The financial status of the college is set forth in the report of the financial agent for 1885, as follows: General fund, in bonds, stocks, and notes, in productive real estate, in endowment of the chair of vice-president, and

other funds, \$189,709; in buildings and grounds, library, apparatus, etc., \$70,500; total, \$260,209.

In May, 1885, the strength and resources of the old Synod of Kentucky are represented in the statistics of the official report of that date, showing three presbyteries, sixty-one ministers, eighty-nine churches, two hundred and forty-four elders, and one hundred and sixty-nine deacons. There were added to the church, on examination, five hundred and twenty-five; on certificates, two hundred and twenty-five, making a total membership of sixty-three hundred and seventy-four. Of baptisms, there were one hundred and ninety-two adults and one hundred and fifty-four infants. There are fifty-two hundred and ninety-eight Sunday-school members. The contributions for the year ending May, 1885, were: For home missions, \$6,687; foreign missions, \$3,641; education, \$652; publication, \$326; church erection, \$5,837; relief fund, \$638; freedmen, \$636; aid to colleges, \$6,189; sustentation, \$231; General Assembly, \$415; congregational, \$99,450, and miscellaneous, \$13,354; total, \$138,056.

¹ *The Roman Catholic Church*, in 1800, had no bishop and but two priests in Kentucky. There were two churches and eleven stations, with a membership of about two thousand. In 1884, the statistics of the church show the Catholics to have two bishops, one hundred and ninety-three priests, two hundred and fourteen churches and chapels, five colleges, fifty-two academies and select schools, one hundred parochial schools, sixteen thousand three hundred and forty-four pupils in charge, nine asylums, four hospitals, and a following of two hundred thousand. The church has preserved a wonderful unity and steadiness throughout the century of its existence, and seems to be solidly and permanently grounded for its work in the future. It has passed through many trials and vicissitudes in this time, but in all these the management of its interests appears to have been in skilled, prudent, and discreet hands, equal to all emergencies. Its greatest shock received was, perhaps, during the "Know Nothing" political movement of 1855, which spent its violent and proscriptive force within a year or two in an organized assault upon the foreign element of the country and the Roman Catholic Church, which embraced the great body of these in its folds. It was an organization against the antecedents and declarations of our republican institutions, and needed but the sober thought of reconsideration to reverse its purposes and policy by public sentiment. During the turbulent and violent excite-



BISHOP MARTIN JOHN SPALDING.

¹ Webb's *Catholicity in Kentucky*, p. 580.

ment which for a brief period characterized its history, while acts of local and personal violence were mutually unavoidable, due credit was given to the leadership of the church for the earnest and co-operative efforts made by it to subdue and restrain from violence and to preserve law and order.

Among the very able and distinguished men who have given themselves to the ministry of the Roman Catholic Church in Kentucky, Right Rev. Martin John Spalding may be said to be pre-eminent in the intermediate period of our State history. He was born near Lebanon, Kentucky, in 1810, of Maryland parentage. He graduated here in 1826, giving marked evidence of his intellectual superiority. The next four years he spent in the diocesan seminary at Bardstown, preparing himself for the priesthood, under the instruction of Bishop David and Rev. Kendrick. In 1830, he set out for Rome, in company with James M. Lancaster, where both entered the renowned College of the Propaganda. After four years of severe study, he passed a most rigid examination, publicly defending two hundred and fifty-six propositions through a critical ordeal of seven hours. He next prepared himself for holy orders, and was ordained a sub-deacon on the 3d, a deacon on the 10th, and priest on the 13th of August. He returned home and assumed pastoral charge at Bardstown, and in 1836 became a leading editor of the *Catholic Advocate*, the organ of the church in Kentucky. In 1838, he was called to the presidency of St. Joseph's College, in which position he served for two years. In 1844, he became vicar-general at Louisville, and the same year gave to the public his admirable "Sketches of Pioneer Kentucky," which he had been compiling for some years.

In 1847, Rev. Spalding received from Rome the bull appointing him co-adjutor to Bishop Flaget, in which position he performed the main and active labors of the bishop himself, and succeeded the latter on his death, in 1850. He was an ardent advocate of religious education, and delivered himself of the following pronounced sentiment on the common Catholic objection to common-school education under State auspices: "Education without religion is the body without the soul, the building without the foundation, philosophy without fundamental principles," an utterance of profound significance, if secular education is entirely without the corresponding provision for religious instruction. Finding the ministerial forces inadequate for the needs of his jurisdiction, the bishop visited and traveled Europe in search of re-enforcing assistants. He succeeded in organizing and extending his work by the introduction from Europe of five ministers of priestly orders, four deacons, and one sub deacon. In 1864, he was installed seventh archbishop of Baltimore, in the presence of forty thousand spectators. He convened the second plenary council of Baltimore; distinguished himself at the Ecumenical council at the Vatican at Rome in 1869-70; returned to America amid many public honors at Baltimore and Washington; during his archiepiscopate, erected many new churches, established new schools, founded and endowed new works of charity, and in April, 1872, died, honored and

lamented at home and abroad. His chief works of authorship were "Life and Times of Bishop Flaget," "Review of D'Aubigne's History of the Reformation," "Miscellanea," and "Lectures on the Evidences of Christianity."

¹ *The Methodist Church*, with its Arminian sympathies, was deeply agitated by the great *revival*, to which it gave countenance and encouragement.



REV. HENRY B. BASCOM.

In the earliest decades of the century its pulpits were occupied by some men of marked evangelic power, chief among whom were William McKendree and Learner Blackman. Later, these were re-enforced by Marcus Lindsey, Jonathan Stamper, William McMahon, William Adams, Samuel Parker, and Henry B. Bascom. Among all, the character and genius of Bascom shone out with greatest luster, in time. He was born in New York, in 1796, and his father immigrated to Kentucky in 1812, in indigent circumstances. After his twelfth year, Henry never attended school; yet, at seventeen, he was licensed to preach,

and was appointed to a circuit. He was of striking and commanding personal appearance, with a fine address. In the pulpit his style was ornate and elegant, and so unlike was he to the ordinary members of the ministry, who went in and out daily among the people, that a prejudice was formed against him which did him great injury and injustice. Wherever he appeared in public ministrations, his superior attractions and power absorbed attention. In thought and action he was independent, while always loyal to his church. This gave him a marked individuality and independence of character, and made him subject to annoying oppositions, if not persecutions, in the ministry, and lost him, to a large extent, the sympathy of the church, to the interest of which he was sacrificing his life-labor.

He preached successively in the Danville and Madison circuits, Kentucky, and at Steubenville, Ohio, when, in 1823, through the influence of Henry Clay, his great admirer, he was elected chaplain to the lower house of Congress. During the intervals between the sessions of Congress, he preached often in the large cities of the East, and with great success and popularity. From 1831, he filled a professorship in Augusta College, Kentucky, for ten years, having the degrees of D. D. and LL. D. conferred on him. He served also several years as president of Transylvania University. In 1845, when the organization of the Methodist Church South was determined on, as chairman of the committee on that subject, Dr. Bascom pre-

pared a very able report, which was approved by the body. In the General Conference of 1846, at Petersburg, Virginia, he was elected editor of the *Methodist Quarterly Review*, and appointed chairman of the board of commissioners to settle the controversy between the North and South divisions. His death occurred September 8, 1850, at Lexington, Kentucky.

In 1820, the total population of Kentucky was 685,049. The membership of the Methodist Episcopal Church at the same time was 15,670, about one forty-third of the population being Methodists. In 1830, the population of the State was 854,194, while the Methodist Church had increased to 28,189, being in the ratio to the total population of about one to thirty.

In 1860, were reported fifteen districts, embracing one hundred and seventy-three circuits and stations, to which one hundred and eighty-three preachers were appointed. The membership was 46,181 white, and 10,634 colored—an increase since 1850 of 11,584.

In 1870, were reported eighteen districts, embracing two hundred and thirteen circuits and stations, to which two hundred and thirty-five preachers were appointed. The membership was 45,522 white, and four hundred and eighty-seven colored.*

The statistics thus far show the numerical strength of the Methodist Episcopal Church South. During this decade, the colored Methodists were set off into a separate organization, which accounts for the apparent decrease in their membership.

The reports for 1891 show the membership of the Southern church to be 72,242 whites, and ninety colored; total, 72,332. Of the Northern Methodist Church, there were reported for the year 1885, 17,975 full members, and 2,378 probationers, one hundred and fifty-two local preachers,

two hundred and twenty-one churches, one hundred and forty-eight Sunday-schools, and 1,214 teachers and 8,661 scholars in the same. Besides these, the latest statistics give over thirteen thousand colored members in different organizations.

¹Hubbard Hinde Kavanaugh, D. D., was born on the 14th day of January, 1802, in Clark county, Kentucky; was converted in November, 1817; in January of the following year he connected himself with the Methodist Episcopal Church; was licensed to preach at Pleasant Green, Bourbon county, in 1822; at the conference of 1823 was admitted as a probationer; was married



HUBBARD HINDE KAVANAUGH.

* Biographic Sketch, by T. J. Dodd, D. D.

July 24, 1828, to Mrs. Margaret C. Green, daughter of Mr. Charles Railey, of Woodford county; in 1837, was appointed by the governor to the superintendency of public instruction of the State of Kentucky; was a delegate to the General Conference in New York in 1844, at which measures were instituted that resulted in the establishment of the Southern branch of the church, in which he was afterward a distinguished light. His wife dying in 1863, he was married a second time, two years subsequently, to Mrs. M. D. P. Lewis, at Cynthiana, Kentucky. He died, still actively engaged in the arduous duties of his office, March 19, 1884, at Columbus, Mississippi, after having attained the ripe old age of eighty-two years.

Bishop Kavanaugh was one of the comparatively few men who may be justly called both great and good. In him the conditions of development were more than ordinarily favorable to the germination and growth of the higher intellectual faculties and the nobler moral virtues.

In the year 1854, he was elected and ordained to the bishopric. To this high office he had passed up through all grades of appointments, and had experienced both the pleasures and the pains incident to life in the Methodist itinerancy. From the first his aim had been single. He had never, either by disability of any kind, or by any interest of his own, been deflected from the onward path of a dutiful son in the Gospel of his Lord. Through a long course of years of active ministerial service, therefore, he was qualified for the episcopal chair. In this new and exalted relationship new capacities were developed as new responsibilities were assumed.

Taken all in all, Bishop Kavanaugh was one of the best and greatest men our country has ever produced. Eloquent, powerful in the pulpit as he was, his greatest excellence was in his *goodness*. We seriously doubt whether the Church has known a better man. Pure, guileless, unsuspecting, he seemed not to know wrong. Earnest, humble, laborious, he preached around among his brethren as their kind, loving friend, and the most bashful boy felt at home in his presence.

The leading institution of learning of the Methodist Episcopal Church North, in Kentucky, is Augusta College, at Augusta. It is renowned in history as among the first attempts in the younger days of our Commonwealth to found a college of high grade for classical and scientific learning; but more than this, for its claim to be the *first* college ever established in the world under the patronage of the Methodist Church. It was founded in 1822, and among its former presidents were Martin Ruter, D. D., and Joseph S. Tomlinson, D. D. H. B. Bascom, D. D., and Burr H. McCown, D. D., were of its professors. It enrolled a patronage of one hundred to one hundred and fifty students for years, and among its alumni were some of the ablest and most distinguished men of the country. Within a few years past it has ceased to exist as a college under denominational auspices. The buildings and grounds were converted to the popular uses of a local school for the town of Augusta.

Dr. Daniel Stevenson is justly esteemed as one of the ablest ministers and leaders of his church, and is identified as an active and efficient factor in the educational history of the State. From 1863 to 1867, he served, by virtue of his election to the office, as superintendent of public instruction for Kentucky. Though his term of office was during the calamitous and disorderly period of the civil war, his administration was characterized by faithfulness and efficiency throughout. He yet lives to serve his people and the country in the cause of education and religion, as the efficient president of the college at Barbourville, Ky.

The Kentucky Wesleyan University was established at Millersburg, in 1866, under the auspices of the Methodist Episcopal Church South, but removed and re-located at Winchester in 1891. Though the buildings and grounds are spacious and commodious, the endowment fund is inadequate, as yet, to carry forward the plan of such an institution as was originally contemplated. Situated in the midst of a beautiful and healthful portion of the bluegrass region, and with an able faculty and full course of college study, it offers attractions for the student who wishes to avail himself of a classical and scientific education of a high order.

Other colleges and academies of repute are established under the care and friendly auspices of the Methodist Church, for the education of both males and females. Conspicuous among these may be mentioned Science Hill Academy, at Shelbyville, so popularly conducted by Mrs. Julia Tevis for nearly fifty years, and with a patronage and success unsurpassed in the State. This famous female school is yet in a flourishing condition, under the management of President Poynter and his able faculty. Russellville Female College, under the charge of President Murphy, and others, are also quite noted.

Among the new factors of influence in our educational advancement may be ranked the *State College of Kentucky*. Agricultural and mechanical colleges in the United States owe their origin to an act of Congress passed in 1862, donating public lands for their endowment. The amount donated was thirty thousand acres for each senator and representative in the Federal Congress. Under this allotment, Kentucky received three hundred and thirty thousand acres. This, if judiciously disposed of, would have formed an ample endowment. The land scrip was sold for fifty cents per acre, and the amount realized, one hundred and sixty-five thousand dollars, invested in Kentucky six per cent. bonds, of which the State became custodian in trust for the college.

The connection formed with Kentucky University was severed in 1878. The city of Lexington, anxious to retain the college, offered to the State its city park, containing fifty-two acres of land, as a site for its buildings. The city and county supplemented this offer by fifty thousand dollars in city and county bonds, to be used for the erection of buildings, which was accepted.

A charter was granted the new institution. In accordance with the requirements of the organic act, "those branches relating to agriculture and the mechanical arts, including military tactics," are obligatory; but the Board of Trustees, nominated by the Governor and confirmed by the Senate, are allowed a wide discretion in regard to the addition of other departments of study.

The State College of Kentucky occupies fifty-two acres of ground within the city limits, the gift of the city, the estimated value of which is \$250,000. The buildings erected upon it represent a value of \$130,000. The machinery, cabinets, museums and apparatus represent \$40,000 more. Besides these, the college owns a farm, used for experimental work in agriculture, worth \$25,000. The material assets of the college in grounds, buildings, farm and equipments represent not far from \$450,000. Its course of study is as follows: Agricultural; two scientific courses; civil engineering; mechanical engineering; classical course; veterinary course; two normal school courses and an academy, designed to prepare students for the college classes. The number of professors in the college and employes in the station is twenty-six, and more than six hundred students have been enrolled in the various courses of study within the last year. Students who desire to supplement their resources by the products of their labor have an opportunity to work on the college grounds or on the farm, and receive compensation therefor at the rate of six to ten cents per hour.

The income of the college is, approximately, fifty thousand dollars yearly, derived from the interest on the bonds held by the State Treasurer, for its benefit, and from a tax of half of one cent on each hundred dollars of taxable property in the State, and other sources.

Free tuition is provided by law for four students from each legislative representative district, and also for a like number of beneficiaries in the normal school.

The buildings are new, and consist of a college structure capable of accommodating five hundred students, dormitory, with dining-room and lodgings for one hundred; president's house and commandant's house.

The institution is in a prosperous condition, with an apparently bright future before it. Its president, J. K. Patterson, has labored with untiring activity for its good, and his friends will credit him with a large share of its success.

In 1832, John Breathitt was elected Governor, and James T. Morehead, Lieutenant-Governor, and Lewis Sanders made Secretary of State; thus inaugurating a Jacksonian Democratic administration for the succeeding four years in Kentucky. In the same year, Jackson defeated Clay for the Presidency of the United States, in a contest in which the issues of the great national parties were never more distinctively defined, as upon the question of a national bank, the tariff for protection, the internal improvement policy, etc. The prejudice against Mr. Adams was an incubus upon the prestige

of Clay, especially after the rancorous controversy over the allegations of bargain and collusion. Any man of less resistant and recuperative power than Mr. Clay must have been borne down by the military and magnetic force of Jackson. As it was, Kentucky gave her favorite son a majority of over seven thousand. The ascendancy he had gained in his State was retained until the feebleness of age marked the turning point in his brilliant career. It was his mission at home, while taking no prominent part in questions of State economy, to found and strengthen a conservative spirit that came with the increase of wealth and culture of the people. No other man living could have then breasted the onward and sweeping wave of Jackson's popularity in the Commonwealth; and amid the changes of parties and politics which have come and gone, the spirit with which the great statesman and orator impressed Kentucky has never ceased to inspire.

We have given elsewhere the main political events of this administrative term. In 1836, James Clark became governor, and Charles A. Wickliffe, lieutenant-governor, and James M. Bullock was appointed secretary of state. Clark dying in September, 1839, Wickliffe succeeded him. During this term, the bubbles of speculation which had been blown began to explode over the country, and the pall of financial distress to spread in Kentucky, as elsewhere. But the most hopeless and desolate period the people of the Commonwealth have ever known was in 1840 and 1841, when, upon the Whig ticket, Robert P. Letcher was made governor, Manlius V. Thomson lieutenant-governor, and James Harlan secretary of state, and of which we have written elsewhere.

The views are so pointedly and lucidly expressed, that we quote the passages from Shaler's Kentucky on this interesting period: "This episode closed the remarkable events in the history of the financial development of the State. From this time on the Commonwealth's banks were singularly sound and efficient institutions. They were commonly domestic in their system; they trusted for their strength to a mixture of control exercised by the State through its ownership of stock and the citizen stockholders. They gave to the people a better currency than existed in any State west of the mountains. Even in the trial of the civil war they stood, as they still stand, unbroken. Their strength is so great that although their currency has been destroyed by the laws of the United States, they remain the mainstays of the business of the Kentucky people outside of one or two of the larger cities."

There is no other case in the history of these American States, where the problem of an exchange system has been so beautifully shown in all its various workings. In the first period of the State's history, we had a long time in which the industry was carried on in the main by barter. Then came the period when the Spanish currency of the dollar was the mainstay of commerce. It is likely that the singular philo-Spanish party got some of

its influence from the use of this currency. A sense of kinship comes with a common money. Relations with Spain that now seem so impracticable probably looked more natural to a people who used Spanish money in the most of their transactions. When the want of small money became great, as it did about the beginning of the century, the need was met by cutting the Spanish dollar into four or eight parts, called "quarters" or "bits." These angular fragments of "cut money" passed current for thirty years or so, and were the subject of several legislative enactments. This plan of dividing coins into segments was a singular, if not unique, device, and long served a good purpose.

When the commerce of this people came to the point where a better system of money became necessary, we find them learning the hard lesson of banking by the dear way of experience, and profiting by that experience in a singularly practical fashion. Moreover, the advance of the Kentuckians in the methods of government can, to a great degree, be attributed to the complete discussion of the principle of public faith that they had then to decide in the matter of the Commonwealth Bank and the new court questions. In no other American State can the money problem be found in such a good position for study. The careful student will there find a wonderful catalogue of monetary expedients.

From their trials in business the people more than once turned, with their usual eagerness, to the questions of national politics. The wide habit of thought bred in their early wrestle with national problems, such as the first forty years of the life of the Commonwealth opened to them, made such matters always of paramount interest.

The Harrison phenomenal "Hard Cider" presidential campaign of 1840 was decided, as was the first Jackson campaign, on the memories of the war of 1812. Van Buren received 32,616, while Harrison's vote was 58,489, a majority of nearly two to one, and this despite the fact that Richard M. Johnson, the candidate for vice-president with Van Buren, was a Kentuckian of Kentuckians. The Whig vote was doubtless reduced by the popularity of this illustrious citizen.

In 1844, Clay was the Whig candidate for the presidency. Although he was supported by his party with unsurpassed ardor, his majority in the State was only about nine thousand, a great falling off from the majority given to Harrison four years before. This marks a peculiar phase of politics in Kentucky, which we must now explain—another testimony to the belief in our *manifest destiny*.

In this election, the Democratic party represented the sentiment for the annexation of Texas, which now was becoming a burning question in American politics. The attempt which Texas was then making for independence of Mexico claimed and gained the keenest sympathy from Kentucky. Many of the leaders in that remarkable conflict were from this Commonwealth, and they all represented the motives of that Western life which, in time of trial,

knows no State bounds. There have been few incidents in American history so calculated to interest the spirit of adventure. The struggle was romantic in its object and its details. For years the Kentucky people had been deprived of all share in the excitement of war. War for political objects has always had an absorbing interest to a people who have the outgoing type of mind, combined with rude vigor. Moreover, the growing interest in the slavery problem led many strong advocates of that institution to desire an extension of territory in the South-west, into which the slave population might find its way. These influences led many persons temporarily to detach themselves from the old Whig or conservative party, and to join the other, that advocated aiding Texas in her conflict with Mexico and her admission into the United States. The same influence acted throughout the Union, but with more energy in Kentucky than elsewhere, because the force of sympathy with the Texan cause was stronger than in any other Whig State. Nothing else could show so well the gain in the conservatism of Kentucky as the fact that, despite all these natural incentives to sympathy with Texas, the State was held by a majority of over nine thousand in resistance to the project of a war with Mexico. The basis of Clay's opposition to the annexation of Texas was the probable tendency to the extension of slavery that this annexation would bring about.

The defeat of Clay was the final blow to his long-deferred hopes of occupying the chair of the presidency at Washington. He still remained the foremost figure of Kentucky politics, but his loftiest aim ended with this defeat. This failure of their candidate was the more exasperating because treachery in New York determined the issue against him. The nation at large abandoned the cautious policy that, strangely enough, had come to be the motive of Kentucky, which in the preceding generation was the most radical State in the Union. Had it been left to Kentucky, despite her natural sympathy with Texas and the pro-slavery South, there would probably have been no annexation of new territory for many years, and slavery might have been hemmed within its old bounds. Such was the potent influence of one great mind over the constituency of a Commonwealth.

It will easily be seen that the first settlers of Kentucky, though they came from slave-holding colonies, brought few negroes into the State. As soon as the pioneer life began to give place to a commercial activity, and men took to planting for profit, and not for subsistence, the negro population rapidly increased. From 1790 to 1840, there was a rapid gain of the African element of the population represented in per cents. at the several decades, as follows. The upper line gives the per cent. of increase in the preceding decade in the black, the lower in the white, population:

	1800.	1810.	1820.	1830.	1840.	1850.	1860.	1870.
Colored	224	99	57	20 $\frac{1}{2}$	10 $\frac{1}{2}$	15 $\frac{2}{3}$	7	—6
Whites	200	84	36	22	13 $\frac{1}{2}$	26	17	14

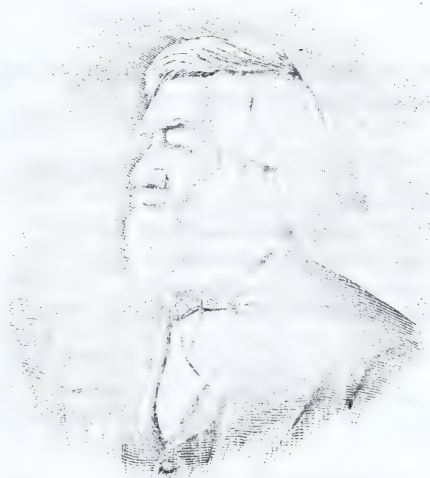
Thus the African race increased more rapidly than the white up to 1830. In 1840, the white population shows a notable increase over the black. This gain is more marked in 1850; it is extended in 1860, and in 1870 the black population shows an absolute decrease. In a small way, this actual decrease in 1870 may be due to the emigration of the negroes during the war, but it will be noticed that it very nearly agrees with the series of changes belonging to the earlier decades. We may say that this decrease would have come about in the natural succession of changes, even if the war had not been fought or emancipation established. There is great difficulty in analyzing the history of slavery in Kentucky. There are no sufficient records on which to base the study of the problem.

In the first place, the reader should remember that only a small part of the Commonwealth is fit for anything like plantation life. The greater part of the area requires the thrift and personal care of the owner to make its cultivation remunerative. Even that part of the land of Kentucky that may be used for tillage in a large way is decidedly more profitable in the hands of farmers who cultivate small areas. Next, it should be noticed that the whole system of Kentucky life fell from the first into something essentially like the yeomanry system of England. The land came into the hands of small landholders, who, in the main, worked with their own hands. Each year increased this element of the State at the expense of the large properties. The principle of primogeniture, which in Virginia outlasted the laws that supported it, never gained a place in Kentucky. The result was that each generation saw the lands more completely divided. There was also in this yeoman class, as well as among the more educated men of fortune, a growing discontent with the whole system of slave labor. Nor was this dislike to slavery based on economic considerations alone. There came to be a prejudice against all forms of commerce in slaves. This notion came to its height in the decade between 1830 and 1840, and is probably responsible for a part of the rapid relative decrease of slaves within those years. From the local histories the deliberate student will easily become convinced that if there had been no external pressure against slavery at this time there would still have been a progressive elimination of the slave element from the population by emancipation on the soil, by the sale of slaves to the planters of the Southern States, and by their colonization in foreign parts.

In the decade from 1840 to 1850, the activity of the Abolition party in the North became very great. All along the Ohio river there were stations for the rescuing of slaves and conveying them to safe places beyond the border. The number of negroes who escaped in this way was small—it probably did not average more than one hundred a year—but the effect upon the state of mind of the people was very great. The truth is, the negroes in Kentucky were not generally suffering from any bonds that weighed heavily upon them. Slavery in Kentucky was of the domestic sort; that is, it was to the most of their race not a grievous burden to bear. This is

well shown by the fact that thousands of them quietly remained with their masters in the counties along the Ohio river, when in any night they might have escaped across the border. Still, this *underground* railway system, although it did not free many slaves, profoundly irritated the minds of their owners, and even of the class that did not own slaves. Accompanied as was this work of rescuing slaves by a violent abuse of slaveholding, it destroyed, in good part, the desire to be rid of the institution which had grown on the soil, and gave place to a natural, though unreasonable, determination to cling to the system against all foreign interference.

¹ Among the leading incidents of many that served to inflame the public passion on the slavery issue, in June, 1845, Cassius M. Clay established and published at Lexington an anti-slavery paper, entitled the *True American*, which he edited with daring boldness, reckless of personal consequences, that is char-



CASSIUS MARCELLUS CLAY.

acteristic of the life of one of the most remarkable men Kentucky ever produced. It was meant and understood to be an open war upon an institution which had the sanction and support of the dominant element, and which had entwined itself in vital relationship with almost every great interest in the Commonwealth. On the 18th of August ensuing, a "committee of sixty" prominent citizens were, by a large public assembly of men at Lexington, who had four days previously requested a discontinuance of its publication as dangerous to the peace of the community and to the safety of their homes and families, and which request was defiantly refused, authorized to take possession of the obnoxious press, type and printing apparatus, pack them up, and send them forthwith to Cincinnati, which was done, and the freight charges and expenses paid thereon. Its publication was continued at Cincinnati for a year or two. The committee of sixty were tried on a charge of riot, and a verdict of "not guilty" rendered.

¹ Collins, Vol. I., p. 330.

CHAPTER XXVI.

(1846-60.)

- Kentuckians and Texan independence.
- War with Mexico.
- General Zachary Taylor commands.
- March to the Rio Grande.
- Battles of Palo Alto, of Resaca, of Monterrey.
- Louisville Legion.
- Second Kentucky infantry.
- McKee, Henry Clay, Jr., and Fry
- First Kentucky cavalry.
- Humphrey Marshall, John P. Gaines.
- Captain John S. Williams' company.
- Generals Butler and Marshall.
- Withdrawals from Taylor's army to enforce Scott.
- Taylor's critical position.
- Battle and victory at Buena Vista.
- Report.
- McKee, Clay, and others killed.
- Marshall's cavalry.
- Captain Williams at Cerro Gordo.
- March to and capture of Mexico city.
- Peace treaty.
- New Mexico, Arizona, California, Nevada, Utah, and Colorado purchased.
- General Taylor's military success makes him president of United States in 1848.
- His life.
- Crittenden governor.
- New Constitution voted.
- State finances.
- Convention meets.
- Notable changes made.
- First election of judges.
- "Irrepressible conflict."
- Powell defeats Dixon and Clay for governor.
- Pierce elected President in 1852.
- Rise of the Native American or "Know Nothing" party.
- Morehead, Know Nothing, elected governor.
- Mobs in Louisville and other cities.
- "Bloody Monday."
- Overthrow of the Know Nothing party.
- Clay's Missouri compromise.
- His last effort for union and peace.
- "Omnibus Bill."
- His life and works.
- His nullification compromise.
- Jackson, Calhoun, and Letcher on the same.
- Measures advocated by him.
- Resigns his senatorship.
- Called again to Congress, he dies in his last years and labors for his country.
- Senators David Merriwether and Archibald Dixon elected.
- Elections in 1856.
- Buchanan president.
- Magoffin elected governor in 1859.
- Joshua F. Bell.
- Financial depression in 1857.
- The banks.
- Events preceding the civil war.
- Ancestry and origin of Kentucky population.
- Fecundity.
- Large emigration to new States.
- Effects from whisky.
- Tobacco and slavery.
- Industries.
- Self-reliance.
- Advantages of commerce.

On the 2d of March, 1836, the representatives of the people of Texas assembled in convention and declared their State independent of Mexican

rule. The invading army was already marching in three divisions through the country to suppress this rebellion, the second, under General Santa Anna, being the center. General Houston, after falling back before one party of the foe, suddenly made a forced march to encounter Santa Anna. On the 20th of April, he bivouacked on the San Jacinto, and while his hungry and wearied Texans were preparing for their supper, the advance of Santa Anna's party came up. A skirmish resulted rather favorably to the Mexicans. The next day, the Mexican army, fifteen hundred strong, was confronted by seven hundred and sixty Texans. With the bloody butcheries of the Fannin massacre, the Alamo, and other scenes of Mexican atrocities fresh in mind, the Texans charged, with one desperate resolve, the ranks of the enemy. It was a rout and a slaughter rather than a pitched battle. Six hundred and thirty Mexicans were killed, two hundred and eighty wounded, and seven hundred taken prisoners, an army annihilated. General Santa Anna, then president of Mexico, was among the prisoners, and, in trepidation, offered to end the war by making a treaty on the 14th of May, binding himself solemnly to acknowledge, sanction, and ratify the independence of Texas.

The authorities of Mexico denounced the treaty, and declared that the independence of Texas would not be consented to. The relations between the two were turbulent for some years, in which time Texas sought safety by asking admission as one of the United States. The Texans were mostly emigrants from this country, and a powerful mutual sympathy existed. The presidential contest of 1844 turned upon this question in the election of Polk over Clay as president, and on the verdict rendered by the people, Congress passed the requisite act of admission, in 1845. War ensued the next year between the United States and Mexico in consequence. General Zachary Taylor, of the regular army, and a native of Kentucky, was ordered to rendezvous the United States troops at Corpus Christi, on the Texas coast, ready for either alternative of defense or aggression, as the action of the Mexican Government might determine.

¹Here he remained until the 11th of March, 1846, when he was instructed to march his force to the east bank of the Rio Grande. At the Rio Colorado, he was encountered by the Mexican authorities and informed that an attempt to cross that river would be followed by actual hostilities. He crossed, nevertheless, and, leaving his army on its march, advanced with a body of dragoons to Point Isabel, near the mouth of the Rio Grande, where he established a camp and received supplies for his army. Having rejoined the main body of his army, General Taylor proceeded to take up a position on the eastern bank of the Rio Grande, opposite Matamoros, which he fortified. This fort subsequently received the name of Fort Brown.

The communication between Fort Brown and Point Isabel having been interrupted by the interposition of large forces of Mexicans between those

¹ Collins, Vol. I., p. 384.

points, General Taylor, on the 1st of May, leaving a small but effective force in possession of Fort Brown, marched the main body of his army to Point Isabel, determined to open the communication. On the 3d of May, he reached Point Isabel without interruption, and on the 7th of the same month started again for Fort Brown. He had with him a force of less than twenty-three hundred men, two eighteen-pounders, drawn by oxen, and Ringgold's and Duncan's batteries of light artillery. At a place called Palo Alto, about twelve miles from Point Isabel, he encountered, on the 8th of May, a force of six thousand Mexican regulars, provided with ten pieces of artillery and supported by a considerable body of rancheros.

The Mexicans were drawn up in a line of battle extending a mile and a half across the plain, and outflanking the American army at either extreme. The lancers were posted in advance on the left, their arms glittering in the meridian sun, and presenting a most brilliant and martial appearance. The rest of the line was formed by the infantry and artillery.

The right of the American line of battle was composed of the Third, Fourth, and Fifth regiments of regular infantry and Ringgold's artillery, under the command of Colonel Twiggs. The two eighteen-pounders, under Lieutenant Churchill, occupied the center, while the left of the line was formed by the Eighth infantry and Duncan's artillery, under Colonel Belknap.

The action was commenced by the Mexican artillery, which opened its fire while the American army was yet at some distance. The engagement soon became general, and was fought almost entirely by the artillery. Ringgold's battery opened with terrible effect on the Mexican left, scattering that brave array of cavalry as if it had been smitten by the sweep of a cyclone. They soon recovered, however, and, making a detour, attempted to fall on the American rear, but were met by the infantry, in squares, and repelled with immense slaughter. While Ringgold's battery, supported by the infantry, was sweeping everything before it on the right, Duncan, on the left, was hurling his fierce volleys into the reeling columns of the foe, who melted away at every discharge; and in the center, the two eighteen-pounders kept up a steady and destructive fire. Here the prairie took fire, and the flames, gathering force and fury as they flew, rolled their devouring billows over the field, and wrapped the two armies in an impervious canopy of smoke. This for a time stayed the contest. But Duncan and his men, dashing through the flames, which curled ten feet high, showed themselves on the Mexican flank, and, opening a furious fire, scattered the terror-stricken columns in every direction. This terminated the contest. The Mexicans retreated to the chaparral and the Americans encamped on the field of battle. The Mexican loss in this affair was two hundred killed and four hundred wounded; that of the Americans was four killed and thirty-seven wounded. Of the killed, three were officers, among whom were Major Ringgold and Captain Page.

That night the enemy retired four miles, and, having received a reinforcement of two thousand men, selected a strong position at Resaca de la Palma, with a ravine in front, guarded by a pond on one flank and a chaparral on the other, and, having placed eight pieces of artillery in a situation to command the approaches, determined to await the advance of the Americans. Contrary to the advice of his officers, General Taylor, notwithstanding the immense superiority of the force opposed to him, determined to continue his march to Fort Brown, and early next morning the army again advanced against the foe.

As soon as the presence of the enemy was ascertained, the artillery of Lieutenant Ridgely was moved to the front, and opened its fire upon that of the Mexicans. The infantry was pressed forward on the right, and, after a desperate struggle, succeeded in penetrating through the chaparral and gaining the flank, while on the left our troops gained a decided advantage. But, in the meantime, the enemy's center kept up a deadly and destructive fire, which arrested the advance of the Americans, and rendered the fortunes of the day for some time doubtful. Though Ridgely's artillery continued to make terrible havoc in the ranks of the foe, the Mexicans still kept up a well-directed fire, which swept our lines and did fearful execution. At this crisis, General Taylor ordered Captain May to charge the battery with his dragoons. Without a moment's hesitation, the gallant May and his fearless horsemen dashed forward through the tempest of fire and iron which the well-worked artillery of the Mexicans hurled in one unbroken torrent over the plain, and, though he lost many of his followers by the discharge with which his advance was met, he faltered not, but, with trumpets ringing merrily and gleaming sabers, swept on like a tornado, before which the firm lines of the enemy wavered and broke and fled. This advantage was followed up by a fierce onslaught from the infantry, at the point of the bayonet. The enemy's center was broken and the fortune of the day decided. The victory was complete. General Taylor brought into action but seventeen hundred wearied men, against a force of at least six thousand, well disciplined, officered, and conditioned. The enemy had every advantage of position, and maintained it valiantly and well, and nothing but hard fighting wrested the victory from them. Our loss in the battle was one hundred and ten killed and wounded. That of the enemy was probably tenfold, though never precisely ascertained. On the 18th of May, General Taylor took possession of Matamoras without resistance.

In response to the call of the Government, volunteers from the Western States came in numbers exceeding the demands of the campaign, and the commander-in-chief found himself suddenly embarrassed by volunteer reinforcements, far beyond the provisions to maintain and move them forward. Kentucky was called on for a quota of twenty-four hundred men. Ten thousand of her citizens eagerly responded, ready for the war, and it became a struggle for the chance of the service. Governor Owsley, on the

17th of May, had issued his proclamation to Kentuckians, "to form themselves into volunteer companies," and report to him forthwith. In anticipation, the Louisville Legion, commanded by Colonel Ormsby, had organized with nine full companies, and tendered its services to the governor on the 18th, the day following the proclamation. By the 26th, it had embarked for the seat of war. The Second regiment of infantry, W. R. McKee, colonel, Henry Clay, Jr., lieutenant-colonel, and Cary H. Fry, major, and the First regiment of cavalry, Humphrey Marshall, colonel, E. H. Field, lieutenant-colonel, and John P. Gaines, major, were next accepted, and soon en route for the Rio Grande. In addition to these, the company of John S. Williams, of Clark county, having been excluded from the quota by mistake, was specially accepted by the order of the War Department. Out of one hundred and five companies of volunteers, seventy-five were declined and disbanded. Of the general officers of the army appointed from Kentucky by the president, were Zachary Taylor, to be major-general in the regular army, William O. Butler, of Carroll county, to be major-general of volunteers, and Thomas Marshall, of Lewis county, to be brigadier-general of volunteers. Of the companies forming the Second regiment, the captains were, respectively, William H. Maxcy, Franklin Chambers, Philip B. Thompson, Speed Smith Fry, George W. Cutter, William T. Willis, William Dougherty, William M. Joyner, Wilkerson Turpin, and George W. Kavanaugh; of the First regiment of cavalry, W. J. Heady, A. Pennington, Cassius M. Clay, Thomas F. Marshall, J. C. Stone, J. Price, G. L. Postlethwaite, J. S. Lillard, John Shawhan, and B. C. Milam.

The Louisville Legion was the first body of Kentucky volunteers to join the American army in its march of invasion from the mouth of the Rio Grande, and in time to participate in the next great battle fought.

¹At length, these obstacles being removed, the army was set in motion and advanced upon Monterey. This was a place strong by nature, amply fortified, and maintained by an army of seven thousand troops of the line and three thousand irregulars. To reduce this stronghold, General Taylor had a force comprising four hundred and twenty-five officers and sixty-two hundred and twenty men. Against the forty-two pieces of cannon of the Mexicans, he arrayed but one ten-inch mortar, two twenty-four-pound howitzers, and four light field batteries of four guns each, the mortar being the only piece suitable to the operations of a siege. With these fearful odds against him, he invested the city.

Having established his camp three miles from the defenses of the city, reconnoissances were made, and it was found possible to turn the enemy's position and gain the heights in his rear. General Worth was detached upon this duty, which having been performed, he was to carry the enemy's works on that side of the town. The operations soon became twofold, the assailing party of Worth being independent of the command of Taylor, whose prin-

principal efforts were to divert the attention of the enemy, while Worth proceeded to the execution of his orders.

The order was issued on the 19th of September, and the next day at two o'clock Worth commenced his advance, and succeeded in reaching a position above the bishop's palace. The next morning, the battle commenced in earnest. Pressing forward, Worth encountered the enemy in force, and drove them before him with slaughter. Gaining the Saltillo road, he cut off the communications, and, carrying two heights west of the Saltillo road, from one of them he was enabled, with his guns, to command the bishop's palace. In the meantime, a determined assault was made upon the town from below by the force under General Taylor. A series of terrific and bloody contests ensued. Our loss was very heavy, from the character of the enemy's defenses and the daring ardor of our troops. General Taylor's purpose of diverting attention from Worth was, however, attained. One of their advanced works was carried at the point of the bayonet, and a strong footing secured in the town. This was on the third day after the commencement of active operations. On the fourth, Worth was victorious at every point. The bishop's palace was taken, while the troops under Taylor pressed upon the city, the lower part of which was evacuated that night. On the fifth day of the siege, the troops under Taylor advanced from square to square, every inch of ground desperately disputed, until they reached within a square of the Plaza; while Worth pressed onward, on the opposite side of the city, carrying all before him. At length, matters being ripe for such a movement, preparations were made for a concerted storm of the enemy's position on the next day. The morning, however, brought an offer of capitulation, which resulted in the surrender of the city. Our loss in the affair was about five hundred killed and wounded; but the victory secured the possession of an immense territory and a vast amount of military stores.

Making his headquarters at Monterey, General Taylor proceeded to occupy Saltillo and Paras, while the Mexicans fell back upon San Luis Potosi. Santa Anna was recalled to Mexico and placed at the head of the Government and army. Before December, he had twenty thousand men under his command, well organized, and with this force he determined to crush Taylor at a blow and redeem the conquered provinces. While these preparations were going on, the Government of the United States, for the purpose of an attack on Vera Cruz, withdrew from General Taylor the most effective portion of his forces, leaving him with an extended line of territory to defend, a formidable foe in front, and with only a small force, principally untried volunteers, to encounter the enemy. Rejecting the advice of the department to retire to Monterey and there defend himself, General Taylor determined to encounter Santa Anna at an advanced position, and selected Buena Vista for that purpose. This field was admirably chosen, and the hero, with his little band, there awaited the shock of his powerful adversary. Santa Anna brought into the field twenty thousand men, to encounter which

General Taylor had a force of three hundred and thirty-four officers and forty-four hundred and twenty-five men.

In the siege of Monterey, the Louisville Legion had joined General Taylor's army in time to participate. They were assigned to the duty of guarding a mortar battery, where, for twenty-four hours, they were exposed to the enemy's cannon, without the privilege or possibility of returning the fire, or of protective defense. During this time they held in check the Mexican cavalry, and, according to the report of the commanding general, "displayed obedience, patience, discipline, and calm courage," the highest qualities that could be possessed by an undisciplined soldiery, and under the severest ordeal of battle. In the action General William O. Butler was dangerously wounded, and Major Philip N. Barbour, of the regular army, and a native of Kentucky, was killed.

In due time, the Second regiment of Kentucky infantry, and the First regiment of cavalry, joined the army of General Taylor, after the capture of Monterey, ready for the next great impending battle that gave most fame to the chief, and most severely tested the bravery of Kentucky volunteers. Not since the memorable battle of New Orleans, thirty-one years before, had an occasion arisen for Kentuckians to test the valor and endurance of untried volunteers, under the press of superior numbers, and through a long and desperate fight which often seemed hopeless to the stoutest hearts; and the crucial test of the desperately-contested issue of Angostura Pass served in later times to affect the military conduct of Kentuckians on other fields of battle.

The war between the neighboring republics had now assumed a magnitude that absorbed the national attention on both sides, and drew forth the entire national resources, at least of the defensive combatant. It became apparent that nothing less than the march of an invading army to the capital of Mexico would break the haughty pride of rulers and people, and enforce such terms of peace as looked now beyond the simple concession of first demands, to the indemnifying acquisition of territorial empire. The difficulties and disadvantages of marching an aggressive and conquering army inland from Monterey to Mexico were too formidable. At military headquarters at Washington, it was determined to effect the landing of the main invading army at Vera Cruz, to capture and occupy this fortified stronghold, and from this point march upon the magnificent capital of the nation. General Winfield Scott was placed at the head of this new army of invasion.

¹ At the time when the victorious army of Taylor was being made invincibly strong, by the accretions of these volunteer re-enforcements, the demand was made upon him for the main body of regulars who had fought with him from Palo Alto to Monterey, to be transferred to Scott. He now found himself with insufficient troops to carry his campaign farther into the interior. It was imperative that he should hold Monterey and Saltillo, to

protect his lines of communication; and for this duty he was left with what the Government deemed a force sufficiently strong. As long as he maintained the ground he had won, no Mexican army could invade Texas while Scott was marching on the City of Mexico. Underrating the forces and soldierly qualities of the enemy, the higher disposing authorities did not contemplate the possibility of a struggle with any formidable army sent against General Taylor; less, even, that an occasion would arise, to make it expedient for the latter to move forward with the depleted army. No sooner had the depletion of the veteran regiments of this army been observed by the vigilance of Santa Anna, than this greatest of the Mexican chieftains prepared suddenly to overwhelm this Federal army with four or five times their numbers, before Scott's columns could get into position to assail him. Leaving garrisons in Monterey and Saltillo, Taylor wisely anticipated the advance of the enemy, by moving the main body of his army southward to find a suitable place to meet the attack which threatened. Once penned within the forts he knew that a surrender was but a question of time.

Buena Vista is a village ranche five miles south of Saltillo, on the road to San Luis Potosi. Here the baggage and supply trains were left. On either side of the San Luis road the mountains, abruptly broken into spurs, rose to a great height, enclosing the narrow valley. Three miles south of Buena Vista the gulieys approached so near the base of the eastern mountains, as to narrow the valley to the width of the road, forming the Pass of Angostura, the real point of battle.

As much controversy and criticism have been indulged, on the actions of some of the prominent Kentucky officers and troops in the battle of Buena Vista, based mainly upon what we conceive to be partial, and not altogether unprejudiced, testimony, and as presenting a true and graphic description of the action by the most competent authority, we prefer here to introduce the official report of Commanding General Zachary Taylor, as part of the narrative of our history:

"HEADQUARTERS, ARMY OF OCCUPATION, AGUA NUEVA, March 6, 1847—
Sir: I have the honor to submit a detailed report of the operations of the forces under my command which resulted in the engagement of Buena Vista, the repulse of the Mexican army, and their occupation of this position.

"On the morning of the 22d, I was advised that the enemy was in sight, advancing. Upon reaching the ground it was found that his cavalry advance was in our front, having marched from Encarnacion, as we have since learned, at eleven o'clock on the day previous, and driving in a mounted force left at Agua Nueva to cover the removal of public stores. Our troops were in position occupying a line of remarkable strength. The road at this point is a narrow defile, the valley on its right being rendered quite impracticable for artillery by a system of deep and impassable gullies, while on the left a succession of rugged edges and precipitous ravines extends far back toward the mountain which bounds the valley. The features of the ground

were such as nearly to paralyze the artillery and cavalry of the enemy, while his infantry could not derive all the advantage of its numerical superiority. In this position we prepared to receive him. Captain Washington's battery, Fourth artillery, was posted to command the road, while the First and Second Illinois regiments, under Colonels Hardin and Bissell, each eight companies, to the latter of which was attached Captain Conner's company of Texas volunteers, and the Second Kentucky, under Colonel McKee, occupied the crests of the ridges on the left and in rear. The Arkansas and Kentucky regiments of cavalry, commanded by Colonels Yell and H. Marshall, occupied the extreme left near the base of the mountain, while the Indiana brigade, under Brigadier-General Lane, composed of the Second and Third regiments, under Colonels Bowles and Lane, the Mississippi Riflemen, under Colonel Davis, the squadrons of the First and Second dragoons under Captain Steen and Lieutenant-Colonel May, and the light batteries of Captains Sherman and Bragg, Third artillery, were held in reserve. At eleven o'clock I received from General Santa Anna a summons to surrender at discretion, which, with a copy of my reply, I have already transmitted. The enemy still forbore his attack, evidently waiting for the arrival of his rear columns, which could be distinctly seen by our look-outs as they approached the field. A demonstration made on his left caused me to detach the Second Kentucky regiment and a section of artillery, to our right, in which position they bivouacked for the night. In the meantime, the Mexican light troops had engaged ours on the extreme left, composed of parts of the Kentucky and Arkansas cavalry dismounted, and a rifle battalion from the Indiana brigade under Major Gorman, the whole commanded by Colonel Marshall, and kept up a sharp fire, climbing the mountain side, and apparently endeavoring to gain our flank. Three pieces of Captain Washington's battery had been detached to the left, and were supported by the Second Indiana regiment. An occasional shell was thrown by the enemy into this part of our line, but without effect. The skirmishing of the light troops was kept up with trifling loss on our part until dark, when I became convinced that no serious attack would be made before the morning, and returned with the Mississippi regiment and squadron of Second dragoons to Saltillo. The troops bivouacked without fires, and laid upon their arms. A body of cavalry, some fifteen hundred strong, had been visible all the day in rear of the town, having entered the valley through a narrow pass east of the city. This cavalry, commanded by General Minon, had evidently been thrown in our rear to break up and harass our retreat, and perhaps make some attempt against the town if practicable. The city was occupied by four excellent companies of Illinois volunteers under Major Warren of the First regiment. A field work, which commanded most of the approaches, was garrisoned by Captain Webster's company, First artillery, and armed with two twenty-four-pound howitzers, while the train and head-quarter camp was guarded by two companies of Mississippi riflemen under

Captain Rogers, and a field piece commanded by Captain Shover, Third artillery. Having made these dispositions for the protection of the rear, I proceeded on the night of the 23d to Buena Vista, ordering forward all the other available troops. The action had commenced before my arrival on the field.

“During the evening and night of the 22d the enemy had thrown a body of light troops on the mountain side, with the purpose of outflanking our left; and it was here that the action of the 23d commenced at an early hour. Our riflemen under Colonel Marshall, who had been re-enforced by three companies under Major Trail, Second Illinois volunteers, maintained their ground handsomely against a greatly-superior force, holding themselves under cover, and using their weapons with terrible effect. About eight o'clock a strong demonstration was made against the center of our position, a heavy column moving along the road. This force was soon dispersed by a few rapid and well-directed shots from Captain Washington's battery. In the meantime, the enemy was concentrating a large force of infantry and cavalry under cover of the ridges, with the obvious intention of forcing our left, which was posted on an extensive plateau. The Second Indiana and Second Illinois regiments formed this part of our line, the former covering three pieces of light artillery, under the orders of Captain O'Brien, Brigadier-General Lane being in the immediate command. In order to bring his men within effective range, General Lane ordered the artillery and Second Indiana regiment forward. The artillery advanced within musket range of a heavy body of Mexican infantry, and was served against it with great effect, but without being able to check its advance. The infantry ordered to its support had fallen back in disorder, being exposed, as well as the battery, not only to a severe fire of small arms from the front, but also to a murderous cross-fire of grape and canister from a Mexican battery on the left. Captain O'Brien found it impossible to retain his position without support, but was only able to withdraw two of his pieces, all the horses and cannoneers of the third piece being killed or disabled. The Second Indiana regiment, which had fallen back as stated, could not be rallied, and took no further part in the action, except a handful of men, who, under its gallant Colonel Bowles, joined the Mississippi regiment, and did good service; and those fugitives who, at a later period in the day, assisted in defending the train and depot at Buena Vista. This portion of our line having given way, and the enemy appearing in overwhelming force against our left flank, the light troops which had rendered such good service on the mountain were compelled to withdraw, which they did, for the most part, in good order. Many, however, were not rallied until they reached the depot at Buena Vista, to the defense of which they afterward contributed.

“Colonel Bissell's regiment, Second Illinois, which had been joined by a section of Captain Sherman's battery, had become completely outflanked, and was compelled to fall back, being entirely unsupported. The enemy

was now pouring masses of infantry and cavalry along the base of the mountain on our left, and was gaining our rear in great force. At this moment, I arrived upon the field. The Mississippi regiment had been directed to the left before reaching the position, and immediately came into action against the Mexican infantry which had turned our flank. The Second Kentucky regiment and a section of artillery, under Captain Bragg, had previously been ordered from the right to re-enforce our left, and arrived at a most opportune moment. That regiment and a portion of the First Illinois, under Colonel Hardin, gallantly drove the enemy, and recovered a portion of the ground we had lost. The batteries of Captains Sherman and Bragg were in position on the plateau, and did much execution, not only in front, but particularly upon the masses which had gained our rear. Discovering that the enemy was heavily pressing upon the Mississippi regiment, the Third Indiana regiment, under Colonel Lane, was dispatched to strengthen that of our line, which formed a crochet perpendicular to the first line of battle. At the same time, Lieutenant Kilburn, with a piece of Captain Bragg's battery, was directed to support the infantry there engaged. The action was for a long time warmly sustained at that point, the enemy making several efforts, both with artillery and cavalry, against our line, and being always repulsed with heavy loss. I had placed all the regular cavalry and Captain Pike's squadron of Arkansas horse under the orders of Brevet Lieutenant-Colonel May, with directions to hold in check the enemy's column, still advancing to the rear along the base of the mountain, which was done in conjunction with the Kentucky and Arkansas cavalry, under Colonels Marshall and Yell. In the meantime, our left, which was still strongly threatened by a superior force, was further strengthened by the detachment of Captain Bragg's, and a portion of Captain Sherman's, batteries, to that quarter. The concentration of artillery fire upon the masses of the enemy along the base of the mountain, and the determined resistance offered by the two regiments opposed to them, had created confusion in their ranks, and some of the corps attempted to effect a retreat upon their main line of battle. The squadron of the First dragoons, under Lieutenant Rucker, was now ordered up the deep ravine which these retreating corps were endeavoring to cross, in order to charge and disperse them. The squadron proceeded to the point indicated, but could not accomplish the object, being exposed to a heavy fire from a battery established to cover the retreat of those corps. While the squadron was detached on this service, a large body of the enemy was observed to concentrate on our extreme left, apparently with the view of making a descent upon the hacienda of Buena Vista, where our train and baggage were deposited. Lieutenant-Colonel May was ordered to the support of that point, with two pieces of Captain Sherman's battery, under Lieutenant Reynolds. In the meantime, the scattered forces near the hacienda, composed in part of Majors Trail and Gorman's commands, had been to some extent organized, under the advice of Major Munroe, chief of

artillery, with the assistance of Major Morrison, volunteer staff, and were posted to defend the position. Before our cavalry had reached the hacienda, that of the enemy had made its attack, having been handsomely met by the Kentucky and Arkansas cavalry, under Colonels Marshall and Yell. The Mexican column immediately divided, one portion sweeping by the depot, where it received a destructive fire from the force which had collected there, and then gaining the mountain opposite, under a fire from Lieutenant Reynolds' section, the remaining portion regaining the base of the mountain on our left. In the charge at Buena Vista, Colonel Yell fell gallantly at the head of his regiment; we also lost Adjutant Vaughan, of the Kentucky cavalry, a young officer of much promise. Lieutenant-Colonel May, who had been rejoined by the squadron of the First dragoons, and by portions of the Arkansas and Indiana troops, under Lieutenant-Colonel Roane and Major Gorman, now approached the base of the mountain, holding in check the right flank of the enemy, upon whose masses, crowded in the narrow gorges and ravines, our artillery was doing fearful execution.

"The position of that portion of the Mexican army which had gained our rear was now very critical, and it seemed doubtful whether it could regain the main body. At this moment, I received from General Santa Anna a message by a staff officer, desiring to know what I wanted. I immediately dispatched Brigadier-General Wool to the Mexican general-in-chief, and sent orders to cease their firing. Upon reaching the Mexican lines, General Wool could not cause the enemy to cease their fire, and accordingly returned without having an interview. The extreme right of the enemy continued its retreat along the base of the mountain, and finally, in spite of all our efforts, effected a junction with the remainder of the army.

"During the day, the cavalry of General Minon had ascended the elevated plain above Saltillo, and occupied the road from the city to the field of battle, where they intercepted several of our men. Approaching the town, they were fired upon by Captain Webster from the redoubt occupied by his company, and then moved off toward the eastern side of the valley, and obliquely toward Buena Vista. At this time, Captain Shover moved rapidly forward with his piece, supported by a miscellaneous command of mounted volunteers, and fired several shots at the cavalry with great effect. They were driven into the ravines which lead to the lower valley, closely pursued by Captain Shover, who was further supported by a piece of Captain Webster's battery, under Lieutenant Donaldson, which had advanced from the redoubt, supported by Captain Wheeler's company, Illinois volunteers. The enemy made one or two efforts to charge the artillery, but was finally driven back in a confused mass, and did not again appear upon the plain.

"In the meantime, the firing had partially ceased upon the principal field. The enemy seemed to confine his efforts to the protection of his artillery, and I had left the plateau for a moment, when I was recalled thither by a very heavy musketry fire. On regaining that position, I discovered

that our infantry, Illinois and Second Kentucky, had engaged a greatly-superior force of the enemy, evidently his reserves, and that they had been overwhelmed by numbers. The moment was most critical. Captain O'Brien, with two pieces, had sustained this heavy charge to the last, and was finally obliged to leave his guns on the field, his infantry support being entirely routed. Captain Bragg, who had just arrived from the left, was ordered at once into battery. Without any infantry to support him, and at the imminent risk of losing his guns, this officer came rapidly into action, the Mexican line being but a few yards from the muzzle of his pieces. The first discharge of canister caused the enemy to hesitate, the second and third drove him back in disorder, and saved the day. The Second Kentucky regiment, which had advanced beyond supporting distance in this affair, was driven back and closely pressed by the enemy's cavalry. Taking a ravine which led in the direction of Captain Washington's battery, their pursuers became exposed to his fire, which soon checked and drove them back with loss. In the meantime, the rest of our artillery had taken position on the plateau, covered by the Mississippi and Third Indiana regiments, the former of which had reached the ground in time to pour a fire into the right flank of the enemy, and thus contribute to his repulse. In this last conflict, we had the misfortune to sustain a very heavy loss. Colonel Hardin, First Illinois, and Colonel McKee and Lieutenant-Colonel Clay, Second Kentucky regiments, fell at this time while gallantly heading their commands.

"No further attempt was made by the enemy to force our position, and the approach of night gave an opportunity to pay proper attention to the wounded, and also to refresh the soldiers who had been exhausted by incessant watchfulness and combat. Though the night was severely cold, the troops were compelled for the most to bivouac without fires, expecting that morning would renew the conflict. During the night the wounded were removed to Saltillo, and every preparation made to receive the enemy, should he again attack our position. Seven fresh companies were drawn from the town, and Brigadier-General Marshall, who had made a forced march from the Rinconada, with a re-enforcement of Kentucky cavalry and four heavy guns, under Captain Prentiss, First artillery, was near at hand, when it was discovered that the enemy had abandoned his position during the night. Our scouts soon ascertained that he had fallen back on Agua Nueva. The great disparity of numbers and the exhaustion of our troops rendered it inexpedient and hazardous to attempt pursuit. A staff officer was dispatched to General Santa Anna, to negotiate an exchange of prisoners, which was satisfactorily completed on the following day. Our own dead were collected and buried, and the Mexican wounded, of which a large number had been left upon the field, were removed to Saltillo, and rendered as comfortable as circumstances would permit.

"On the evening of the 26th, a close reconnoissance was made of the enemy's position, which was found to be occupied only by a small body of

cavalry, the infantry and artillery having retreated in the direction of San Luis Potosi. On the 27th, our troops resumed their former camp at Agua Nueva, the enemy's rear guard evacuating the place as we approached, leaving a considerable number of wounded. It was my purpose to beat up his quarters at Encarnacion early the next morning, but upon examination the weak condition of the cavalry horses rendered it unadvisable to attempt so long a march without water. A command was finally dispatched to Encarnacion, on the 1st of March, under Colonel Belknap. Some two hundred wounded and about sixty Mexican soldiers were found there, the army having passed on in the direction of Matahuala, with greatly-reduced numbers, and suffering much from hunger. The dead and dying were strewn upon the road and crowded the buildings of the hacienda.

"The American force engaged in the action of Buena Vista is shown, by the accompanying field report, to have been three hundred and thirty-four officers and forty-four hundred and twenty-five men, exclusive of the small command left in and near Saltillo. Of this number, two squadrons of cavalry and three batteries of light artillery, making not more than four hundred and fifty-three men, composed the only force of regular troops. The strength of the Mexican army is stated by General Santa Anna, in his summons, to be twenty thousand, and that estimate is confirmed by all the information since obtained. Our loss is two hundred and sixty-seven killed, four hundred and fifty-six wounded, and twenty-three missing. Of the numerous wounded, many did not require removal to the hospital, and it is hoped that a comparatively small number will be permanently disabled. The Mexican loss in killed and wounded may be fairly estimated at fifteen hundred, and will probably reach two thousand. At least five hundred of their killed were left upon the field of battle. We have no means of ascertaining the number of deserters and dispersed men from their ranks, but it is known to be very great.

"Our loss has been especially severe in officers, twenty-eight having been killed upon the field. We have to lament the death of Captain George Lincoln, assistant adjutant-general, serving on the staff of General Wool—a young officer of high bearing and approved gallantry, who fell early in the action. No loss falls more heavily upon the army in the field than that of Colonels Hardin and McKee and Lieutenant-Colonel Clay. Possessing in a remarkable degree the confidence of their commands, and the last two having enjoyed the advantage of a military education, I had looked particularly to them for support in case we met the enemy. I need not say that their zeal in engaging the enemy, and the cool and steadfast courage with which they maintained their positions during the day, fully realized my hopes, and caused me to feel yet more sensibly their untimely loss.

"The Mississippi riflemen, under Colonel Davis, were highly conspicuous for their gallantry and steadiness, and sustained throughout the engagement the reputation of veteran troops. Brought into action against an

immensely superior force, they maintained themselves for a long time unsupported, and with a heavy loss, and held an important part of the field until re-enforced. Colonel Davis, though severely wounded, remained in the saddle till the close of the action. His distinguished coolness and gallantry at the head of his regiment on this day entitle him to the particular notice of the Government. The Third Indiana regiment, under Colonel Lane, and a fragment of the Second, under Colonel Bowles, were associated with the Mississippi regiment during the greater portion of the day, and acquitted themselves creditably in repulsing the attempts of the enemy to break that portion of our line. The Kentucky cavalry, under Colonel Marshall, rendered good service dismounted, acting as light troops on our left, and afterward, with a portion of the Arkansas regiment, in meeting and dispersing the column of cavalry at Buena Vista. The First and Second Illinois, and the Second Kentucky regiments, served immediately under my eye, and I bear a willing testimony to their excellent conduct throughout the day. The spirit with which the first Illinois and Second Kentucky engaged the enemy in the morning restored confidence to that part of the field, while the list of casualties will show how much these three regiments suffered in sustaining the heavy charge of the enemy in the afternoon. Captain Connor's company of Texas volunteers, attached to the Second Illinois regiment, fought bravely, its captain being wounded and two subalterns killed. Colonel Bissell, the only surviving colonel of these regiments, merits notice for his coolness and bravery on this occasion. After the fall of the field officers of the First Illinois and Second Kentucky regiments, the command of the former devolved upon Lieutenant-Colonel Weatherford; that of the latter upon Major Fry.

"I am, sir, very respectfully, your obedient servant,

"Z. TAYLOR,

"Major-General United States Army Commanding.

"The Adjutant-General of the Army, Washington, D. C."

The only other distinctive Kentucky troops that were engaged in any severe action during the war was the company of Captain John S. Williams, of which mention was formerly made. This company had joined Scott's army of invasion at Vera Cruz. The stronghold of the enemy was at Cerro Gordo, some miles out on the road to the City of Mexico. This fortified position was defended by Santa Anna, who had returned on his retreat from Buena Vista to Mexico with his recruited army. The company of Captain Williams had joined the volunteer regiment of Colonel Haskell, of Tennessee. When the brigade of General Pillow assaulted the position of the enemy on the plateau, the advance post of honor was given to Haskell's regiment. In the face of a murderous fire, which twice drove back the assailants, they again rallied and gallantly stormed the enemy's works, and planted the American standard upon the same. Conspicuous among the bravest, Captain Williams led his company in the front, and shared the

honors of the victory. For his bravery and daring on the occasion, he won the *soubriquet* of "Cerro Gordo Williams," which yet distinguishes him among his ardent friends in Kentucky.

¹ These battles of the war proved that the American militia, properly commanded, could sustain a long series of attacks, or stand steadily under the heaviest fire, from overwhelming numbers, without becoming demoralized by the many well-delivered blows which might strike their lines. Mexico became a training ground in the art and skill of military tactics of many men, both in the regular and volunteer service, who afterward became distinguished by their important parts in the civil war. Many of these soldiers reappear in the subsequent civil and military history of the State, both on the Federal and Confederate sides. Here they received that training that gave them successful leadership. At the beginning of the Mexican war, there was no State in the Union where there had been for a generation a greater neglect of the military art, on the part of her people. There remained from the military life of the old days but two elements of value to the soldier—an instinctive as well as a trained ability in the use of fire-arms, and a strong combative spirit. These proved of great efficiency. These troops were to be tried against a people who possessed a large degree of soldierly qualities. The Mexicans were hardy, brave, and patient, and well trained in the simpler art of war, their frequent internal struggles having given them recent and extensive experience in military affairs. The experience proved that the Kentucky troops showed little of that intractable and insubordinate spirit, or unwillingness to submit to command, that marked their ancestors in 1812. The long training in civic life had finally subjugated the wilder impulses of insubordination that were the reproach of the pioneer soldier. There was no time to give to these volunteers even a good camp training, and their officers were incompetent to the task. They fought as *raw militia*.

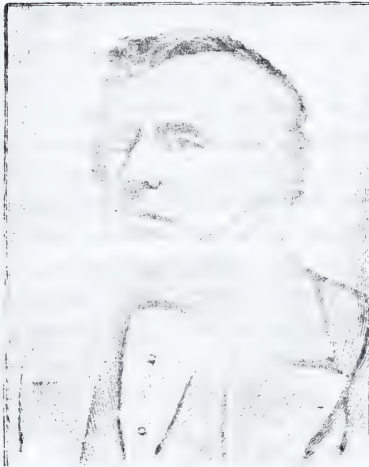
We can not, within the scope of Kentucky history, follow the invading campaign of General Scott from Vera Cruz and Cerro Gordo through the sieges and capture of Contreras and Cherubusco, the storming of Molino del Rey and Chapultepec, the successful assaults upon San Cosme and Belen Gates, and the triumphant entrance of his victorious army into the proud City of Mexico, the venerable capital of the Montezumas. Nor can we farther follow the details of the military operations in New Mexico and California, and of other note, which so soon must become a conspicuous figure in a treaty of peace, negotiated at Guadalupe Hidalgo, on February 2, 1848. This treaty stipulated that the Rio Grande river, or Rio Bravo del Norte, as the Mexicans styled it, from its mouth to El Paso, and from thence a line due west to the Pacific ocean, varying but little, should in future be the boundary line between the two countries; and in consideration of this cession of a vast territorial empire, the United States should pay to Mexico

¹ Shaler's *American Commonwealths*, p. 201.

the sum of fifteen million dollars. Thus, besides the area of Texas, was added to the possession of this country all that territory now embracing New Mexico, Arizona, California, Nevada, Utah, and Colorado, increasing by twenty-five per cent. the entire area of the United States and Territories.

Before the war ended, another requisition was made by the Government on Kentucky for two regiments more of troops. The call was promptly answered, and the quota of volunteer troops tendered the authorities in two organized regiments, as follows: The Third regiment of infantry, Colonel Manlius V. Thomson, Lieutenant-Colonel Thomas L. Crittenden, and Major John C. Breckinridge, in command; and the Fourth, commanded by Colonel John S. Williams, Lieutenant-Colonel William Preston, and Major William T. Ward. Peace assured, these regiments disbanded without reaching the seat of war.

The results of the war invested General Taylor with that glamour of fame in the popular mind which distinguished military success, attended with



GENERAL ZACHARY TAYLOR.

incidents of the heroic, has in all ages commanded, as the tribute of admiration and adulation from the impulsive instinct of the great masses. The idea was advanced and dwelt upon by his sympathizing friends, that the Government had committed gross injustice to him, and to the volunteer favorites of the people, in decimating his army by the withdrawal of the regular troops, and in organizing and equipping a main army under a new general, for the invasion of Mexico; that this injustice barely escaped a catastrophe to the nation, by the heroic gallantry and splendid victory of Buena Vista; and that this shifting of men and scenes upon the theater of war, was intended to check the growing popularity of General Taylor as an invincible whig candidate for the presidency. The idea once suggested became a deep-rooted prejudice in the public mind, until the tide of feeling rose to a great wave of enthusiasm, foreshadowing the inevitable result. The Whig National Convention which met at Philadelphia, on June 8, 1848, nominated Zachary Taylor, then of Louisiana, but forty years a Kentuckian, for president, and Millard Fillmore, of New York, for vice-president. On May 26th, the Democratic National Convention had nominated Lewis Cass, of Michigan, and William O. Butler, of Kentucky, the opposing ticket. The whig ticket was elected. Kentucky gave to it 67,486 votes; to the democratic, 49,865. General Taylor served as president until July 9, 1850, on which day he died, and was succeeded by Vice-President Fillmore.

The father of General Zachary Taylor, one of the most eminent and worthy of the sons of Kentucky, was Colonel Richard Taylor, of Virginia, a gallant officer in the Continental army throughout the Revolutionary war. In 1785, he removed with his family to Kentucky, and settled in Jefferson county, and for years distinguished himself by his services in defense of the border against the Indians. Zachary Taylor was nine months old at the date of this removal. He grew to manhood amid the din of Indian warfare, and received such education as the country afforded. In 1808, he was appointed first lieutenant in the regular army, and soon after joined the command of General Wilkinson, at New Orleans. In the war with England, in 1812-15, he served with distinguished gallantry and success, in the campaigns of General Harrison in the North-west. His most noted achievement here was the successful defense of Fort Harrison against the formidable investment and assaults of a greatly superior body of Indians, aided by their allies from Canada. He bore the rank of major at the close of the war. He was promoted to the rank of colonel in 1832, and rendered most effective service in the Black Hawk war, which broke out at that date. Afterward, in the war against the Seminole tribes of Florida, which became so noted for its long continuance, and the great trouble and expense the Indians gave the Government, from the everglade swamps of that country, the leading military operations were under the command of General Taylor. His subsequent achievements in the Mexican war, and his elevation to the presidency of the United States, left nothing more for human ambition and fame to be sought or desired.

In the same year, 1848, John J. Crittenden and John L. Helm were elected governor and lieutenant-governor of Kentucky, upon the whig ticket, over Lazarus W. Powell and John P. Martin, democrats, by an average majority of about eight thousand.

In August, 1848, the poll for calling a convention to change the Constitution of Kentucky, resulted in 101,828 votes for, and 39,792 against; and on January 13, 1849, the Legislature passed an act "To call a convention, at Frankfort, October 1, 1849, to change the Constitution of the State." On the opening of the campaign for the choice of delegates to this convention, the sentiment for the gradual emancipation of the slaves was called into intense activity. Meetings of the friends took place in a number of counties; and on April 25th, a State convention of the same was held at Frankfort. It was there resolved that candidates be brought out, in favor: First, of the absolute prohibition of the importation of any more slaves in Kentucky; and, second, of the complete power to enforce and effect, under the new constitution, whenever the people desire it, a system of gradual prospective emancipation of slaves. The excitement and bitterness of party feeling was intense. Cassius M. Clay was the leading spirit of the campaign among the friends of emancipation. The result showed practically almost a solid delegation for the pro-slavery party in the convention.

¹ Two features of the Constitution of 1799 seemed to render it unsatisfactory to the people. The appointment of the judiciary by the governor became unpopular. By the existing constitution, all judges, clerks of courts, justices of the peace, and attorneys for the Commonwealth, were appointed by the governor or by the courts. It was complained that this separated the people too much from a control of that part of the government with which they had the most to do; that it gave the governor, in times of political excitement, too much power to exercise his partialism in the appointment of these officers. Though the same policy has been pursued in other States, and for like reasons, it is questioned by many thoughtful and good men, whether this change was for the better, on the whole. Yet, once adopted in the constitution of the State, it is not likely that there will ever be a return to the old appointing method.

Another evil of moment was the power of the Legislature to raise money on the credit of the State. According to the exhibit made in the message of Governor Crittenden, of this year, the debt of the State was \$4,497,652, mainly incurred in internal improvements projected and made in the speculative years of the preceding decade. There was a desire to arrest this indiscriminate power to incur debts for future payment, the burdens of which the people had been made to feel.

On the 1st of October, the convention met at Frankfort, and proceeded to organize, by the election of a president. The members stood, respectively, for James Guthrie, democrat, fifty; Archibald Dixon, forty-three votes.

² The changes were made in the two objectionable features mentioned. Besides, the provisions for changing the new constitution, before very difficult, were now made so complicated that, though repeated efforts have been made, it has been found so far practically impossible to assemble a convention for the purpose. The apprehensions of the possible and dangerous agitations on the questions of the emancipation of the slaves, had much to do with the erection of the barriers to a change. By shaping the law so that the people should be required to continue favorable to a change for a number of years, and finally arrive at a conclusion through a series of legislative acts, and popular elections, in which a majority of both bodies should approve, they secured the instrument from the jeopardy of impulsive public sentiment or hasty action. The result is that the constitution of Kentucky, in its relations to a revolutionized condition of society, of property interests, and of civil relations, is one of the most remarkable anomalies of American politics. Constructed in an era of intense pro-slavery sentiment, and mainly with features of protection and perpetuation of the institution, now, after the abolishment of slavery and the restoration of peaceful government for nearly a quarter of a century, it stands untouched and unmarred, a grim

¹ Shaler's *American Commonwealths*, p. 214.

² Shaler's *American Commonwealths*, p. 216.

monument of an eventful past, with its living and dead provisions intertwined among the masonry of its articles and sections. When it may be changed, no augury of statesmanship is able to forecast. The people seem indifferent to change, and move on in the pursuits and followings of life with contentment, as apparent as in the era suited to the instrument.

On May 12, 1851, the first election of officers under the new constitution was held. The returns showed that James Simpson, of the First district; Thomas A. Marshall, of the Second; B. Mills Crenshaw, of the Third; and Elijah Hise, of the Fourth, were the successful candidates for the appellate bench, and Philip Swigert clerk of that court. Twelve circuit judges, twelve Commonwealth attorneys, and in each county, a county judge, clerk, attorney, sheriff, jailor, assessor, coroner, surveyor, justices of the peace, and constables were, for the first time in Kentucky history, elected by the people.

The severe measures for the repression of the agitation of anti-slavery sentiment proved unavailing to altogether check the ardency and determination of the friends of emancipation. It is true that many lips were sealed of those of favoring sentiment, who felt that it was but useless indiscretion to attempt to breast the tide of overwhelming popular feeling for the institution; but enough were bold and outspoken in their advocacy to justify the title given to the issue—"*The Irrepressible Conflict.*" In the first political State campaign under the new constitution, in 1851, the Emancipation party placed a ticket before the people, with Cassius M. Clay for governor and George N. Blakey for lieutenant-governor. The result of the election was: For governor, Lazarus W. Powell, democrat, 54,613; for Archibald Dixon, whig, 53,763; for Cassius M. Clay, emancipationist, 3,621; for lieutenant-governor, Robert N. Wickliffe, 47,454; John B. Thompson, 53,599; George D. Blakey, 1,670. Richard C. Wintersmith was elected treasurer; E. A. Macurdy, register of the land office; Thomas S. Page, auditor; James Harlan, attorney-general; Robert J. Breckinridge, superintendent of public instruction; and David B. Haggard, president of the board of internal improvements; all Whigs elected, except the governor. Thus, it was pretty evident that the vote for Clay had drawn strength enough from Dixon to defeat a Whig candidate for governor; yet Clay's vote by no means represented the numbers of the anti-slavery men of the State. The belief that the Whig party was in favor of some system of gradual emancipation led many of them to go over to the Democratic party, which had become the pronounced guardian and defender of the institution. From this time on, the decadence of the former party in Kentucky was marked, with perhaps the exception in the presidential vote in 1852, in which year Winfield Scott, whig, received a majority of thirty-two hundred and sixty-two over Franklin Pierce, democrat.

The rise, culmination, and rapid disintegration of the Native American party, or secret Know Nothing organization, over the entire country, includ-

ing Kentucky, about the period of 1854-6, yet more affected the strength and prestige of the old Whig party. It was but a phenomenal outbreak of anti-Catholic and foreign feeling, which swept over the country like a wave of fire, and which burned as intensely in Kentucky as in any other State. For a time it absorbed all political interest, and even left the question of emancipation ignored in national and State politics. The great Know Nothing party was made up of local secret societies organized in every community, much after the fashion of Masonry and other such. All persons entering a lodge and becoming members were sworn, after the most rigid and solemn forms of the ritual, that they would never reveal the mysteries of the lodge, and that they would not vote for a Roman Catholic, or a man foreign born, for any political office; that they would vote for the party and men pledged to abridge or deny to foreigners the privileges of full citizenship and suffrage, and to do all in their power to eradicate foreign influence, and with it Roman Catholic influence, from the politics of our country.

So contrary were such sentiments and such a party, apparently, to the genius of American liberty, that even many Whigs declined to follow the great mass of their brethren who were inclined to such a political organization. Looking back upon this most remarkable phenomenon of sentimental politics, many persons characterize it as little else than a vagary, born of prejudice and rapidly consumed in the heat of its own passions; that it questioned the rights of a large and potent element of our citizenship, and could not but provoke the bitterest antagonism upon the part of those who were to be divested, and enlist the sympathies of the advocates of full liberty to all citizens. The issues of the American party absorbed the Whig, and were met in a life and death struggle by the Democratic party. For a year, the phenomenal party was triumphant in Kentucky.

For governor, in August, 1855, Charles S. Morehead, American, received 69,816 votes, against 65,413 for Beverly L. Clarke, democrat; and for lieutenant-governor, James G. Hardy, American, defeated Beriah Magoffin, democrat. The entire American, or Know Nothing, State ticket was elected. The Legislature was of like complexion. So intensely bitter were the feelings of the contending parties, that a terrible riot broke out in Louisville on the day of the election, which, for the violence of the mob-spirit and the sanguinary results, caused that day to be known in our history as "Bloody Monday." There were fearful scenes of violence, of bloodshed, and of incendiarism, principally in the First and Eighth wards. At night, some sixteen houses on Main street, in the vicinity of Eleventh, were fired and burned. Shots were exchanged between the mob outside, and the occupants within, with destructive effect. Other buildings were fired, and similar scenes enacted in other parts of the city. Twenty-two persons were killed and many wounded, during the twenty-four hours reign of terror, about three-fourths Irish, and one-fourth Americans, the police of the city being inadequate to suppress or control the fury and riot of the factions.

It required but another twelve-month to mature the reaction which must surely come against a movement which seemed so little in accordance with all previous republican experience and institutions. In 1856, it met its Waterloo in Virginia, where Henry A. Wise, as the Democratic candidate for governor, signally defeated his American opponent by ten thousand majority. This seemed to be recognized as a test of the stability of the great Know Nothing party, and on the result the imposing fabric went to pieces. From this date, the Whig party lost precedence in Kentucky, and was wrecked amid the stormy events of the next decade.

On the 29th of June, 1852, while a member of the Senate of the United States, Henry Clay sank under the ravages of disease and the burden of years, and died in the city of Washington. The intelligence spread a pall of gloom over the entire country, with its deepest shadows upon the hearts of the people of Kentucky. His mortal remains were brought in state to his home at Ashland, near Lexington, and deposited in the cemetery there, in the midst of a concourse of thirty thousand people assembled. During the youth and maturity of his manhood, the imperious spirit and great qualities of leadership brought about unavoidable antagonisms, and made many enemies. Nature had so endowed him that he could brook neither rivalry nor opposition with resigned patience. He was constituted to lead the one, to conquer the other, as he did in the tournaments of every debate in Congress, before jury, or on the public rostrum. But he was approaching his four score years, when his public career terminated with his death. The work of his later years had been non-partisan and less personally aggressive. The motives to ambition and fame had subsided with approaching age, and the spirit of the patriot and peacemaker became the supreme aim of his later life. A nation of people venerated and admired the virtues of his character, which now shone with more luster than ever before.

With gloomy forebodings, Mr. Clay foresaw the perils into which his beloved country was drifting, upon the "irrepressible conflict" of the slavery strife. The attitude of the North, and its encroachments on the South and her institutions, together with the fiery character of the people of the latter, presaged only evil; and already the talk of a resort to arms, as a last remedy, was indulged but too freely. He had calmed the lowering storm raised by the Missouri question, by the terms of compromise. Again, the hydra of the slavery issue appeared, in the disposal of the question of the admission as a State of California, and others of the provinces ceded by Mexico. Mr. Clay was returned to the Senate, in the hope that his wisdom and influence might effect a peaceful solution again. Shortly after taking his seat, he submitted a series of resolutions looking to this end, which are known in the history of Congressional legislation as the "Omnibus Bill." It proposed to admit California, without any restriction as to slavery; that Congressional legislation therein is inexpedient; to indemnify Texas for relinquishing her title to a part of New Mexico; that it is inexpedient to abolish slavery in the

District of Columbia, while it remains in Maryland; the rigid enforcement of the fugitive slave law, etc. This bill failed in the form presented; but its measures were subsequently adopted *seriatim*, except one provision for the prohibition of the trade in slaves in the District of Columbia. Once more the country was tranquil for a time.

¹ Mr. Clay served in the lower house of Congress, with but brief intermissions, from his retirement from the Senate, in 1811, until 1821, at which time the neglect of his private interest, and the impairment of his fortune, imperatively demanded his entire personal attention. During this ten years, he presided over the House of Representatives. Among the most brilliant and effective displays of his powers of oratory and statesmanship were his measures and speeches in support of the war of 1812-15, with England. Strange as it may now seem, there was a resisting party, by no means feeble and inert, made up mainly from New England and the seashore borders of other Northern States, who bitterly opposed the war, and were openly disposed to submit to all the indignities and outrages heaped on this country by Great Britain, rather than distract her efforts to marplot Napoleon, the destined and commissioned iconoclast of Europe, in the zenith of his phenomenal career. Besides, these represented extensive maritime and mercantile interests which must be well-nigh obliterated by the necessities of military and naval belligerency. This party was potently represented in and out of Congress, and Mr. Clay became the central figure for its shafts of malice, as the leader and impersonation of the war party and policy. Among the brilliant efforts of his peerless oratory some of the best specimens may be found in his speeches at this time. His was the supreme and master spirit in that dark hour, which rallied all the boldness and chivalry of the nation, and inspired the patriotic ardor to avenge the honor of the nation, and to rebuke the intolerable insults of England.

In 1814, he resigned his seat in Congress, on his appointment, in connection with John Quincy Adams, James A. Bayard, Albert Gallatin, and Jonathan Russell, as plenipotentiary, to meet a like commission on the part of England, to consider terms of treaty and peace between the two belligerent nations. The commissioners met at Ghent, and there negotiated such terms of adjustment as proved to become mutually acceptable to the governments. The diplomatic ability of Mr. Clay during the sessions at Ghent won from his associates the highest encomiums of praise, and he returned to his people with his reputation enhanced from this new field of statecraft. It is believed that Mr. Clay's firmness and mastery of the occasion most probably saved the right of the navigation of the Mississippi river from being sacrificed for a very inconsiderable return.

The great Kentuckian availed himself of the opportunity of visiting the capitals and noted centers of Europe, on the pressing invitations and assurances of friends newly made. At every point visited, he was heralded by

¹ Collins, Vol. II., p. 209.

his world-wide fame, and from potentates and distinguished personages, as well as from the people of every nation visited, he received tributes of respect and admiration, such as no other living citizen of America could have commanded. From the background of the western republic, at no time in its history did the individuality of any one person stand out before the admiring world with such conspicuous prominence as did Henry Clay. His genius and his fame more than partisan, or sectional, or national, illustrated the universal history of his generation. The thunders of his oratory in behalf of the recognition of the republics of South America, the independence of Greece, and for the cause of liberty elsewhere, reverberated throughout the royal and diplomatic halls of Europe, and among potentates and people, and echoed across the continents and oceans to cheer and inspire the patriot friends of free government, from the slopes of the Andes, in the West, to the shores of the Hellespont, in the East. No man of the continents that bordered the broad Atlantic lived more in the hearts and memories of all peoples.

It would leave even this brief record of the life and services of the great statesman imperfect and inadequate, not to make some mention of the part played by Mr. Clay and his Kentucky colleagues in that exciting episode of American history, known as the South Carolina nullification measures, and which seriously threatened a terrible civil war thirty years before the recent one, or a disintegration of the Union. We must group together around the point, and at the incidents, of the culmination, some of the leading characters in the scenery of this dramatic event, so thrillingly exciting then, and so imperfectly understood now, behind the shadows of the civil war.

On the 24th of November, 1832, South Carolina, in convention, declared unconstitutional, and to be null and void on and after the 1st day of February next, certain acts of Congress laying duties and imposts on foreign imports within the limits of that State; and that if the Federal Government should attempt to use coercive measures in the exercise of such power, she would withdraw from the Union, and assume the attitude of an independent sovereignty. General Jackson, who had just been re-elected president over Mr. Clay, issued a warning proclamation in response to this turbulent proceeding, admonitory of the consequences, and closing with the following touching appeal:

1 "Fellow-citizens of my native State, let me not only admonish you, as the first magistrate of our common country, not to incur the penalty of its laws, but use the influence that a father would over his children whom he saw rushing to certain ruin.

"You are free members of a flourishing and happy Union. There is no settled design to oppress you. You have, indeed, felt the unequal operation of laws, which may have been unwisely, not unconstitutionally, passed, but that inequality must necessarily be removed. At the very moment when

1 "Old Fog" correspondent *Courier-Journal*, Statesman's Manual, Jackson's administration.

you were madly urged on to the unfortunate course you have begun, a change in the public opinion has commenced.

"I adjure you, as you value the peace of your country, the lives of its best citizens, and your own fair fame, to retrace your steps. Snatch from the archives of your State the disorganizing edict of its convention; bid its members to reassemble, and promulgate the decided expressions of your will to remain in the path which alone can conduct you to safety, prosperity, and honor. Tell them that, compared to disunion, all other evils are light, because that brings with it an accumulation of all. Declare that you will never take the field unless the star-spangled banner of your country shall float over you; that you will not be stigmatized when dead, and dishonored and scorned while you live, as the authors of the first attack upon the Constitution of your country. Its destroyer you can not be. You may disturb the peace, you may interrupt the course of its prosperity, you may cloud its reputation for stability, but its tranquillity will be restored, its prosperity will return, and the stain upon its national character will be transferred, and remain an eternal blot on the memory of those who caused the disorder."

The authorities of South Carolina, in full view of the fact that the friends of the administration in Congress were maturing bills for the reduction of tariff taxes, still went on in their career, calling for troops and breathing defiance to the General Government. The president, early in January, sent a special message to Congress, setting forth these hostile proceedings, and making such recommendations to that body as he deemed to be wise.

Mr. Clay, on the 12th of February, introduced a bill in the Senate for the reduction of duties on imports. It proposed an annual reduction for nine years, or until the tariff reached a revenue standard. He accompanied this bill with a speech of some length, in which he gave the reasons that impelled him to introduce it. We copy a few of those reasons. Said Mr. Clay:

"I believe the American system to be in the greatest danger, and I believe it can be placed on a better and safer foundation at this session than at the next. I heard, with surprise, my friend from Massachusetts say that nothing had occurred within the last six months to increase its hazard. I entreat him to review that opinion. Is it correct? Is the issue of numerous elections, including that of the highest officer of the government, nothing? Is the explicit recommendation of that officer, in his message at the opening of the session, sustained, as he is, by a recent triumphant election, nothing? Is his declaration in his proclamation, that the burdens of the South ought to be relieved, nothing? Is the introduction of the bill in the House of Representatives during this session sanctioned by the head of the Treasury and the administration, prostrating the greater part of the manufactures of the country, nothing? Are the increasing discontents nothing? Is the tendency of recent events to unite the whole South nothing? Let us not

deceive ourselves. Now is the time to adjust the question in a manner satisfactory to both parties. Put it off until the next session, and the alternative may, and probably then would be, a speedy and ruinous reduction of the tariff, or a civil war with the entire South."

On the evening of the 25th of February, when the House of Representatives was nearly ready to adjourn, Mr. Letcher, of Kentucky, one of Mr. Clay's most devoted friends, arose in his place, and moved to strike out the whole *bill*, except the enacting clause, which had been reported by the committee of ways and means, and insert in lieu of it the bill offered by Mr. Clay in the Senate. This motion struck many members with surprise, but not the majority, who had previously agreed to support it. The vote was at once taken, and the substitute passed—yeas, one hundred and five; nays, seventy-one. The members representing manufacturing States generally voted in the negative, and nearly all the Southern members voted in the affirmative. The bill was deemed a compromise of conflicting opinions, and was so received by the country. When it was sent back to the Senate indorsed by thirty-four majority in the House, it was passed by that body—yeas, twenty-nine; nays, sixteen—and soon signed by General Jackson. There was great rejoicing over the country, including South Carolina, whose senators and representatives, without a dissenting voice, had voted for the bill. The nullification storm was immediately hushed, and all was peace throughout the land. All honor to the patriots who brought about the settlement; due honor to the immortal Clay!

Thus, to the patriotic wisdom and leadership of Kentucky statesmen in the two houses of Congress directly, was due the conciliatory adjustment of the first bold attempt at nullification and secession in a disaffected State, based on a strained and untenable interpretation of the doctrine of States' rights, as set forth in the Kentucky resolutions of 1798. It will be interesting to know the views of John C. Calhoun, then a senator from South Carolina, and the great master of this political school in his day. Of his speech in this debate, the *Register of Debates* says:

"Mr. Calhoun arose and said he would make but one or two observations. Entirely approving of the object for which this bill was introduced, he should give his vote in favor of the motion for leave to introduce it. He who loved the Union most desired to see this agitating question brought to a termination. He believed that to the unhappy divisions which had kept the Northern and Southern States apart from each other, the present entirely degraded condition of the country (for entirely degraded he believed it to be) was solely attributable. The general principles of this bill received his approbation. He believed that if the present difficulties were to be adjusted, they must be adjusted on the principles embraced in the bill, of fixing ad valorem duties, except in the few cases in the bill to which specific duties were assigned. He said that it had been his fate to occupy a position as hostile as any one could, in reference to the protecting policy; but, if it

depended on his will, he would not give his vote for the prostration of the manufacturing interests. At this time, he did not rise to go into a consideration of any of the details of this bill, as such a course would be premature and contrary to the practice of the Senate. There were some of the provisions which had his entire approbation, and there were some to which he objected. But he looked upon these minor points of difference as points in the settlement of which no difficulty would occur, when gentlemen met together in that spirit of mutual compromise which, he doubted not, would be brought into their deliberations without at all yielding the constitutional question as to the right of protection."

The catastrophe was averted, but the *Dies Ira* was bequeathed by the fathers of one generation to their children of the next.

Of the measures advocated by Mr. Clay during his active career in Congress, were the incorporation of a United States bank; the principle of a protective tariff, applied until the manufacturing interests of the country could be nursed to compete with those of Europe; the aid of the Government to internal improvements of a national character; the disposition of the public lands of the United States; and others of lesser note. On the 31st of March, 1842, the Nestor of American politics executed his long-cherished wish to retire from public life, and to spend the remainder of his days in the tranquil shades of Ashland. Tendering his resignation in the Senate, the scenes of parting were thrilling and affecting, beyond description. Had the guardian genius of Congress and the nation been about to depart, deeper sensations of sadness and regret could not have been manifested, than when Mr. Clay arose, for the last time, as every mind was impressed, to address his compeers. All felt that the master spirit was bidding them adieu, and perhaps, forever; and were grieved that the pride and ornament of the Senate and the glory of the nation was being removed, creating a void that would never again be filled.

Failing as he did, in the contest of 1844, he gave up all hopes of the presidency, and resigned himself to the retirement he had chosen. In 1847, he publicly avowed his faith in the Christian religion, and united with the Protestant Episcopal church, at Lexington, that he might dwell in communion with his God and Heaven. From the privacy and repose the venerable sage and chieftain had sought, the ominous mutterings of the storm-cloud of the slavery issue, threatening already to sever the Union and to drench the land with fratricidal blood, the popular voice of alarm called him rudely forth to perform the last acts in the drama of a wondrous life, upon the great theater of politics, where he had so long been the greatest of the nation's great. The emergency was one that respected not persons or conditions; and the decree went forth, that the laureled chieftain must again clothe himself with the armor of battle, bear it forth through the struggle, and die with it on. Bearing upon his shoulders the burden of years, he bowed submissive obedience to the stern demand, did his duty faithfully

and heroically, and then died, as he had lived, in the service of his country and of humanity.

David Merriwether was appointed to the vacancy of Mr. Clay in the United States Senate, by Governor Powell, and served until the close of the session. Archibald Dixon, having been elected by the Legislature, on its next assembling, succeeded Mr. Merriwether, and served out the remainder of Mr. Clay's term.

On the 4th day of August, 1856, Alvin Duvall was elected judge of the Court of Appeals, against Thomas A. Marshall; and on June 15th, of next year, Zachariah Wheat was elected to a seat on the same bench, to fill a vacancy occasioned by the death of B. Mills Crenshaw.

In the presidential election of 1856, Kentucky cast her vote as follows: For James Buchanan and John C. Breckinridge, democratic, for president and vice-president, 69,509 votes; for Millard Fillmore and Andrew J. Donelson, American or whig, 63,391; and for John C. Fremont and William Dayton, republican, 314. The tide of native American sentiment had evidently begun its ebb. For governor, in 1857, James H. Garrard, democrat, received a majority of 12,114 votes over his American opponent. Eight democrats and two Americans were chosen for Congress, and sixty-one democrats, to thirty-nine Americans, for representatives in the Legislature.

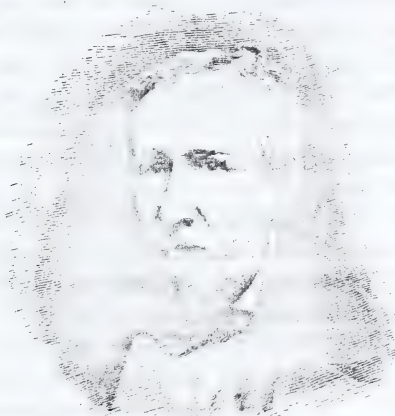
In 1858, Lazarus W. Powell was elected United States Senator for the term of six years, from March 4, 1859; Rankin R. Revill, clerk of the Court of Appeals, over George R. McKee; and Henry C. Wood, judge of the same court, over Zachariah Wheat, in the Second district; all these being democrats.

A rebellion against the United States Government having been organized by the Mormons in Utah, a requisition for a regiment of volunteer troops was made upon Kentucky to aid in suppressing the same. Twenty-one companies were promptly offered, of which Governor Morehead selected ten, officered by Captains Wales, of Jefferson; Hanks, of Anderson; Beard, of Fayette; Trapnall, of Mercer; Pearce, of Trimble; McHenry, of Daviess; Rogers, of Jefferson; Moore, of Pendleton; Adair, of Union; and Rees, of Kenton. But in April, a peace commission, composed of Lazarus W. Powell, of Kentucky, and Benjamin McCullough, of Texas, was sent by the Government, and negotiated terms of adjustment that allayed all strife, when the troops were disbanded.

In 1859, one of the most interesting contests which terminated the power and organization of the Whig party in Kentucky was witnessed in the gubernatorial campaign. Beriah Magoffin and Linn Boyd were the chosen nominees of the Democratic party, and Joshua F. Bell and Alfred Allen, of the Whig. The State was thoroughly and ably canvassed, and the candidates were favorites with the respective parties. The sentiment was pervading that the Democratic party was sound and stable on the slavery question, and that too many elements in the Whig party were in sympathy with the oppo-

sition. Nor had the latter party recovered the full confidence of the public, after the demoralizing experience with Know Nothingism, notwithstanding the selection of a candidate for governor, who was possessed of great prestige and popularity, and who was one of the most gifted and brilliant orators of the State. Magoffin and Boyd were elected by majorities approximating nine thousand votes.

The period from 1848 to 1857, in Kentucky, was one of steady prosperity, with but little to divert the people from the ordinary industrial pursuits. The first six years of this period established a business confidence and credit, which led to temptations to venture out into speculative enterprise, beyond the demands of legitimate business. This spirit of venture led to the inevitable inflation of values of all kinds of property, and the experience of fifteen years before was repeated. A flush tide of illusive gain and prosperity overflowed the country, and the great masses of men floated easily upon it. ¹This was general throughout the United States. The demand for



JOSHUA F. BELL.

money led to quite a percentage of increase in the banking capital of Kentucky; and the facility with which credit could be used in borrowing money led to an expansion of indebtedness abnormal to the conditions of general solvency and safety. The inevitable followed. The bubble burst, as it had done before, in 1837; as it did after, in 1873. Among the multiplied banks which had so extended circulation, several newly-chartered institutions suspended or went into insolvency; but the old established banks, on which the people depended for support, weathered the storm. In a few months they called in half their paper, and the remainder of their notes became the standard of circulation of the Ohio valley. They maintained specie payments throughout the crisis and to the end of the financial storm. The good credit thus secured enhanced the confidence and profit of these banks. So popular became their currency, that in 1859 their circulation amounted to over fourteen million dollars, being an increase of five million dollars within a year.

These results of a banking experience which had been matured at home, and controlled entirely by men reared upon the soil, mainly separated from the business traditions of the world, and whose individuality had developed their own methods, give to Kentuckians a good claim for eminent capacity in this difficult task of dealing with the

¹ Shaler's *American Commonwealths*, p. 220.

monetary problems of the day. This claim was yet further established, as we note hereafter, by the conservative and skillful management of these banks during the perils and difficulties which beset them during the civil war. We quote here some very able and pertinent reflections of a recent author upon Kentucky history:¹

"As we must shortly pass to the consideration of the events that immediately preceded the civil war, which made a new era in Kentucky history, it will be well to make a brief survey of the political and social conditions of the Commonwealth in the decade of 1850-60. So far, the life of Kentucky had been an indigenous growth, a development from its own conditions, singularly uninfluenced by any external forces. With only the germs of a society sown on this ground, there had sprung into existence a powerful Commonwealth, that now, at the end of eighty years of time, felt strong enough to stand alone in the struggles that were soon to rage about her. No other State in the Mississippi valley—hardly any of the original Southern States—had pursued its course with so little influence from external conditions. There had been relatively little contributions of population from other States, except from Virginia, North Carolina, Pennsylvania and Maryland, and but a small immigration from European countries since 1800. This made an indigenous development not only possible, but necessary.

"From 1774 to 1860, eighty-five years had elapsed. This period measures the whole course of Kentucky history, from the first settlement at Harrodsburg to the beginning of the great tragedy of the civil war. As before recounted, the original settlement and the subsequent increase of the Kentucky population were almost entirely drawn from the Virginia, North Carolina and Maryland colonies; at least nine-five per cent. of the population was from these districts. Probably more than half of this blood was of Scotch and North English extraction—practically the whole of it was of British stock. The larger part of it was from the frontier region of Virginia, where the people had never had much to do with slavery.

"The total number of these white settlers who entered Kentucky in the first eighty-five years can not be determined with any approach to accuracy; but from a careful consideration of the imperfect statistics that are available, it seems reasonable to estimate the whole number of white immigrants at not more than one hundred and twenty thousand, while the slave population that was brought into the State probably did not amount to one-third this number. In 1860, the white population amounted to 919,484, and the slave population to 225,483; the free black population to 10,684. Of the white population of this census, 59,799 were born beyond the limits of the United States. This element of foreign folk was in the main a very recent addition to the State. It was mainly due to the sudden development of manufacturing interests along the Ohio border, principally in the towns

¹ Shaler's *Kentucky Commonwealths*, pp. 221-29.

of Louisville, Covington, and Newport, and to certain new settlements of agriculturist Germans in the counties forming the northern border of the State. The foreign-born people had not yet become to any degree mingled with the native people, either in the industries or in blood.

"Before we can estimate the fecundity of this population, we must note the fact that from 1820 or thereabouts down to 1860 and later, there was a very great tide of emigration from Kentucky to the States that were settled in the other portions of the Mississippi valley. The southern parts of Ohio, Indiana and Illinois received a large part of their blood from Kentucky. Missouri was so far a Kentucky settlement that it may be claimed as a child of the Commonwealth. Tennessee, Arkansas, Mississippi, and Texas, also received a large share of the Kentucky emigrants. The imperfect nature of the earlier statistics of the United States census makes it impossible to determine with any accuracy the number of persons of Kentucky blood who were in 1860 residents in other States; but the data given make it tolerably clear that the total contribution of Kentucky to the white population of the other States amounted in 1860 to at least *one million* souls. The increase in the black population was probably rather less than that of the white, but there is no data for its computation.

"If this estimate is correct the fecundity of the Kentucky population in the first eighty years of its life exceeds that which is recorded for any other region in the world. There are several reasons which may account for this rapid multiplication of this people. In the first place the original settlers of Kentucky were of vigorous constitution; they were not brought upon the soil by any solicitations whatever, nor were they forced into immigration by the need of subsistence. Access to the country was difficult, and for some decades the region was exposed to dangers from which all weak-bodied men would shrink. The employment of the early population was principally in agriculture, upon a soil that gave very free returns. There was plenty of unoccupied land for the rising generations, so there were no considerations of a prudential nature to restrain the increase of population. For a long time children were a source of advantage to the land-tiller, and apart from pecuniary gain there was a curious patriarchal pride in a plenteous offspring. The climate proved exceedingly healthy. There were no low-grade malarial fevers to enfeeble the body, and the principal disease of the early days, a high-grade bilious fever, though rather deadly, did not impoverish the life as the malarial troubles of other regions in the Mississippi valley have done. Thus the first population of Kentucky was from the purest spring that ever fertilized a country, and there was little to defile its waters. The principal evils that beset the population were two—first, the excessive use of tobacco and alcohol, which doubtless did something to lower the vitality of the population: second, the extremely defective system of education, which left the people essentially without the means of getting a training proportionate to their natural abilities.

"The institution of slavery tended to keep the industrial and the related social development confined within narrow lines. At the beginning of the century the State had an industrial spirit that was fit to compare with that of New England and the other Northern free States. Many of the arts that were exercised by the whites took on a rapid advance, but the negro is not by nature a good general citizen, nor could he be expected to develop his capacities in the state of slavery. Gradually manual labor, except in agriculture, became in a way discreditable and distasteful to the mastering race. The mechanical industries, except those of the simpler domestic sort, were generally abandoned, even before northern and eastern competition came in. This want of manufacturing life was by no means an unmitigated evil, for it kept the people in more wholesale occupation; but it served to restrain the growth of wealth, on which the progress of education and the development of capital much depend. The development of slavery was also marked by the progressive separation of society into a richer and a poorer class, though, from the failure of the slave element to increase with the rapidity normal in the more Southern States, the effect was not as great as in these districts. The middle class of farmers in Kentucky—those who, though fairly well to-do, were not slave-owners—always remained a very strong, in fact, a controlling, element in the Kentucky population. The greater part of the tide of strong life that went from Kentucky to other States, in the four decades that preceded the civil war, was from the yeoman class, the reddest, if not the bluest, blood of the State.

"Despite these hindrances to social development, the commercial advance of Kentucky in the first eighty years of her history was marvelously great, especially as it was accomplished practically without the aid of any foreign capital whatever. This absence of immigrant capital in Kentucky in the first sixty or eighty years of its history is something that well deserves to be considered in measuring the development of the State. Until the close of the civil war there was scarcely an improvement in the Commonwealth that was not the result of the capital won by the people. In connection with this, it should be remembered that the expenditure of labor required to bring an acre of Kentucky land under tillage is many times as great as that required to subjugate prairie land. The mere felling of the forest and grubbing of the roots require at least twenty days' labor to the acre of ground.

"It requires a vivid imagination, or some personal experience, to conceive of the enormous amount of physical labor involved in the bringing of forest land into a shape for the use of civilized man. In all the Northern States, the work of subjugation and construction which is necessary on new ground was, in good part, accomplished by the aid of capital that was brought into the country in its settlement. None of these outside aids were offered to Kentucky. The first settlers had little capital beyond the price of their lands and a few household effects that could be packed on horses or wagoned

over the mountains. All their wealth they had to win from the soil and from their little factories.

"Two circumstances greatly helped this people to establish the foundation of their wealth. The settlements at the mouth of the Mississippi afforded, in a very early day, a considerable market for certain products of the soil, especially for tobacco. This plant, which had given a basis for the early commerce of Virginia, helped in turn the development of Kentucky. As early as 1790, there was a considerable shipment of this article. General Wilkinson, whose last shipments were in 1790, received, as was found in his court-martial, as much as \$80,000 for a small part of his tobacco alone from the Spanish agents, and he was only the pioneer in this business, which afterward grew to be a great commerce, even before the cession of the Louisiana Territory to the United States.

"In 1860, Kentuckians had already won nearly one-half of the State's surface to the plow. The remainder was still in forests. At no time had there been any pressure for means of subsistence upon the people. The soils of the first quality were now actively under tillage or in grass. Nearly one-third of the State was still covered with original forests, rich in the best timbers, and the mineral wealth of the State was essentially untouched. The geological survey of Dr. David Dale Owen had shown that this country was extraordinarily rich in coal-beds and iron-ore deposits, but the State, in the main, drew its supply of timber, coal and iron from beyond its borders. All its principal industries were agricultural, and its exports were raw products and men—exports, as has been well remarked, that naturally go out together, and to impoverish a country.

"Its growth of population was now, in the later decade of its existence, relatively slow; not that the people were less fecund than of old, but the trifling incoming of settlers along its northern borders did not in any degree replace the constant westward-setting tide of emigration."

CHAPTER XXVII.

(1860-63.)

Views and forebodings of the great civil war.

Feeling in Kentucky.

Clay and Crittenden as peacemakers.

Abduction of slaves.

The "Underground Railroad."

Disintegration and division of old parties.

Repeal of Missouri Compromise.

Squatter Sovereignty.

The Republicans elect Abraham Lincoln president.

Other candidates.

Leslie Combs, Union, elected clerk of Appellate Court.

Kentucky as a central border State.

Crittenden's compromise bill.

Acts of State convention and Legislature, January, 1861.

National Peace Conference.

Fort Sumter fired on and surrenders.

General Robert Anderson.

Lincoln's call for troops.

Magoffin's defiant answer.

Pleas for "neutrality" for Kentucky.

Responses.

Provisions to maintain.

One million dollars voted to equip the "Home Guards" and "State Guards."

General Simon B. Buckner.

Elections.

Anti-secession.

Partisan men and movements.

Abraham Lincoln.

Jefferson Davis.

The inevitable.

Manassas.

The war fury.

Secession versus revolution.

Fallacy and fact.

Recruiting.

Camps for both.

Legislature calls for forty thousand volunteers.

Battle of New Madrid

General Albert Sidney Johnston at Bowling Green.

Polk at Columbus.

Noted Kentuckians arrested.

Others join the Southern army.

Zollicoffer at Wild Cat mountain.

Ivy mountain.

Anarchy and violence.

Divided households, churches, and communities.

Lawless Home Guards.

Guerrillas.

Indictments for treason.

Confederate State Government organized.

General Finnell, adjutant-general.

Garfield's campaign.

Battle of Mill Spring.

Defeat and death of Zollicoffer.

General Buell's command.

General Grant's.

Sherman's dismal report.

Relative forces.

Confederates badly armed.

Battles of Forts Henry and Donelson.

Surrender.

General Buckner shares the fate of the soldiers.

His life.

General Johnston's retreat.

Columbus evacuated.

Federals occupy Nashville.

President Lincoln and Congress offer to pay for slaves emancipated by any States.

Refusals.

Why?

Retreat and invasion further south.

Johnston and Grant meet at Pittsburg Landing.

- Great battle of Shiloh.
- Grant's army disastrously defeated.
- General A. S. Johnston slain.
- Buell rescues Grant and defeats Beauregard.
- George W. Johnson killed.
- Kentucky "Orphan" Brigade.
- Kentucky Federal troops engaged.
- South-west campaigns.
- General John H. Morgan's cavalry.
- His methods.
- Colonel Basil W. Duke.
- Morgan's first raid through Kentucky.
- Force and equipments.
- Fight at Tompkinsville.
- Ellsworth's telegraphic feats.
- Capture of Lebanon.
- At Midway.
- To Georgetown.
- Battle of Cynthiana.
- Escapes south.
- Pursuit.
- Colonel J. J. Landrum.
- Rigors of martial law.
- General Boyle, commandant.
- Provost marshals.
- Terms to rebels.
- Rule of Stanton, secretary of war.
- Horrors of civil strife.
- Federal enlistments.
- Governor Magoffin resigns.
- James F. Robinson governor.
- Leniency.
- Battle of Hartsville.
- Kirby Smith's invasion.
- Routs the Federal army at Richmond.
- Occupies all East Kentucky.
- General Humphrey Marshall.
- Escape from Cumberland Gap.
- Bright omens for the Confederate cause.
- Stirring events on both sides.
- Bragg's invasion.
- Buell cut off.
- Munfordsville captured.
- Extraordinary retreat of Bragg.
- Buell marches into Louisville.
- Disappointments.
- Consequences.
- Buell on the offensive.
- Skirmishing.
- Main tactics and movements.
- Desperate battle at Perryville.
- Bragg falls back to Harrodsburg.
- To Bryantsville.
- To Tennessee.
- Detachment fights.
- The Federals hold Kentucky again.
- Dark omens for the Confederate cause.

The cry of the petrel heralding the coming storm never fell with more ominous forebodings on the sailor's ears than did the conspiring incidents and notes of warning of the inevitable crisis and catastrophe of conflict between the two sections of the Union, on the issue of slavery. It is doubtful if the people of any other State bore the incubus of apprehension upon their spirits with more of regretful sadness than did those of Kentucky. Certainly none more clearly forecast and appreciated the appalling dangers of the irrepressible strife. With the people of the North, the desperate determination of the South to hazard the peace of the country and the perpetuity of slavery, upon the fact of a disruption of the Union, as the lesser in a choice of evils, could not be realized in an estimate of the situation. The fear of a destruction of the Federal fabric, therefore, did not so strongly appeal to their patriotism. With the people of the extreme South, the virtues of patriotic devotion to the Union had been engulfed in the universal consciousness that their rights and chief interests were jeopardized by the accession to power of an anti-slavery administration; that safety could only be sought in dissolution and separate government, and that such solution could be attained without the probabilities of a war of conquest, and the

destruction of the peculiar institution. In the intense resentments of the two extremes, reason became obscured by passion, with both parties.

The great heart of Kentucky did not fully share in the arbitrary views of the one section or the other. Her convictions and traditions, her interests and hopes, her devotions and desires, were with the Union; her sympathies, her partialities, her kinship, were with the South. With this conflict of emotions, she was called upon to make a choice between alternate evils, from one of which she shrank as with a horror of fratricide; from the other, with the terrors of ungrateful disloyalty and anarchy. Earliest, above the mutterings of the storm, were the voices of her sage and venerable statesmen signaling the dangers, and the putting forth every human device to avert the catastrophe, or to postpone the dreaded crisis. The last years of Henry Clay were overcast with the shadow of the dark trouble coming. His compromises had served a purpose for the time; but the great upheaving waves of sectional and party fury were beating away these barriers, soon to inundate the whole country with their destructive wrath. His distinguished colleague and bosom friend, John J. Crittenden, followed in this lead of warning danger, and of averting compromise. By such statesmen and patriots the people of Kentucky had their views and feelings reflected. Their training and experience in the most practical politics gave them an instinctive sense of the magnitude of the dangers besetting the Commonwealth and the whole country.

Kentucky, as the central border State, with a large slave element within easy distance of the Ohio-river line, was subjected to repeated annoyances and irritations from the loss of this species of property. Organized agencies were multiplied on the northern side, with their emissaries traversing and ramifying this portion of the State, for the purpose of abducting and running across the river the slaves of this section. With the zeal of martyrs, some of these emissaries, by speech and tract, prosecuted their work as though moved by the spirit of religious fanaticism. The arrest, conviction, and imprisonment in the penitentiary, did not stay the work, or abate the zeal. The temper of the people on the north side made it dangerous to pursue the fugitives, and more than doubtful to seek redress in the courts, under the provisions of the "Fugitive slave law." "The underground railroad," though an invisible institution to ordinary outsiders, gave too many practical evidences of daily use to leave any doubt on the mind of its existence. The title became a household word in every mouth.

With these agitations and upheavals, which were but the symptomatic vibrations of the earthquake to come, political chaos spread her sable wings over the land. The old Whig party, after reeling into the arms of Know Nothingism, soon forsook such a refuge, and tottered back upon its base, only for a brief respite. Rapid decay set in, and the disintegrating elements almost as rapidly merged into the Republican party organization, in the Northern States, only to be massed against the fragments of the Democratic

party, soon to be sundered, and against the forlorn hope of the old Whig party on its last battlefield.

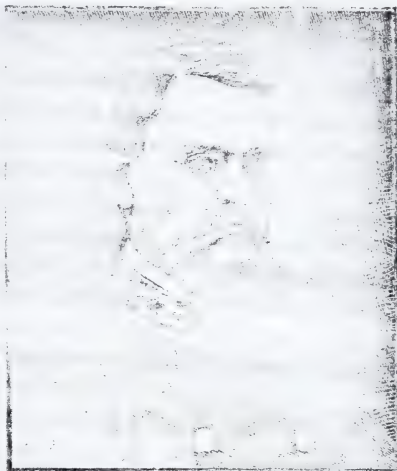
In 1860, the Republican party nominated Abraham Lincoln and Hannibal Hamlin for president and vice-president of the United States; and the Union party, John Bell and Edward Everett. ¹ The Democratic party had been divided in twain, and irreconcilably. The people of the South, through all the rage of the tempest of political wrath let loose over the whole country, had firmly and immovably held to the traditional doctrine and precedent of "States' Rights;" that the people of each new State, at the time of coming into the Union, had the right to form their own State government, and say whether slavery should be adopted in the constitution or not. By 1860, the party of encroachment had assumed gigantic and threatening proportions. When the territorial governments of Kansas and Nebraska were about to be thus formed, the conservative men of the North joined the men of the South, in Congress, and repealed the restrictive measures of compromise which had been adopted before by this body. On the border line between these territories and the slave State of Missouri a state of internecine warfare had for some years existed, between those in favor of carrying their slave property into the territories and the propagandists of abolition. The episode was but a phase of the "irrepressible conflict," that hastened the event of dissolution. The repeal of the compromise measures made the excitement furious.

Stephen A. Douglas, a senator from Illinois, though a man of vigorous and able mind, yet more of the shifty politician than the sagacious and discreet statesman, conceived and advocated a method of relief, which was entitled the doctrine of "squatter sovereignty." This doctrine proposed to leave to the settlers in the territory the question of the introduction or holding of slaves therein. Though its plausibility carried away multitudes from the ranks of Democracy, it proved neither to conciliate the exasperated North nor to be acceptable to the South, yet an apple of discord in the Democratic Troy. The national convention met at Charleston, South Carolina, and, after fifty-seven ballots, failed to nominate; then adjourned to Baltimore. Here a large portion of the delegations withdrew from the meeting, after protesting against certain action. The remaining delegates nominated Stephen A. Douglas and Herschel V. Johnson for the presidential ticket, while the seceding members formed and nominated John C. Breckinridge and Joseph Lane.

The result was the election of the Republican candidates, Lincoln and Hamlin, by a sectional vote. Kentucky gave to Bell and Everett 66,016 votes; to Breckinridge and Lane, 52,836; to Douglas and Johnson, 25,644; and to Lincoln and Hamlin, 1,366. John C. Breckinridge, at the time vice-president, had been, on the 12th of December before, elected to the Senate of the United States, showing the Democratic party then to be in the as-

¹ Collins, Vol. I., Annals.

GENERAL JOHN C. BRECKINRIDGE, son of Joseph Cabell Breckinridge, and grandson of Hon. John Breckinridge, was born near Lexington, January 21, 1821; graduated at Centre College, and completed his law studies at Transylvania; practiced at Lexington, and at Burlington, Iowa; entered the Mexican war as major of the Third Kentucky Regiment; was elected to the Legislature in 1849; to Congress in 1851 and 1853, from the Lexington district, and soon took rank as the most elegant and popular orator of that body, rising rapidly to political eminence; in 1856, was elected vice-president of the United States on the ticket with James Buchanan; defeated for president in 1860; elected United States senator in 1861, and resigned the same year to join his fortunes with the Confederate cause. His brilliant



GENERAL JOHN C. BRECKINRIDGE.

military career at Bowling Green, Shiloh, Vicksburg, Baton Rouge, Murfreesboro, Jackson, Chickamauga, Missionary Ridge, and in West and South-west Virginia, are of his historic record. He was Confederate States secretary of war at the close, escaping by way of Cuba and England to Canada, finally returning to Lexington and devoting himself to the construction of the Lexington & Big Sandy railroad, of which he was vice-president until his death, May 17, 1875. This country has, perhaps, never produced a man more richly endowed with imposing personal presence and manly form and features, with elegant and popular manners, and with magnetic and graceful oratory. The juggernaut of war never stained its wheels with nobler blood nor left a grander spirit in ruins.

cendency in the Legislature, with a Democratic governor. ¹It will thus appear that the Democratic or States' Rights party had the destiny of the State in their hands at the outbreak of the civil war. A very large number of the leaders of the party were doubtless inclined to follow the South, if disunion should be the alternative adopted in the event of Mr. Lincoln's election. Their motives were mainly held in reticence for a time, though gradually they became apparent from many indices of expression. Would the great mass of the people follow this element of leadership when the moment of decisive action came? A test was had in advance at the State election in August, 1860. Leslie Combs, Union, received 68,165 votes; Clinton McCarty, Breckinridge Democrat, 44,942; and R. R. Bolling, Union Democrat, 10,971, showing a majority leaning to the side of the Union of 39,184.

²Shaler well says of this state of political affairs: "It would not be proper to represent this feeling of the conservative party as an unqualified approval of the project of remaining in the Union without regard to conditions. The state of mind of the masses of the people at this time is hard to

¹ Shaler's Commonwealths, p. 233.

² Kentucky Commonwealths, pp. 234-37.

make clear to those who, by geographical position, were so fortunate as to have their minds borne into a perfectly-definite position in this difficult question of national politics. The citizen of Massachusetts, or the citizen of South Carolina, surrounded by institutions and brought up under associations which entirely committed him to a course of action that was unquestionably the will of the people, had only to float on a current that bore him along. Whatever the issue might be, unity of action within his sphere was easily attained. Not so with the citizen of Kentucky. The Commonwealth was pledged by a generation of conservatism, the sentiment of which had been repeatedly enunciated in county and State conventions and in many assemblies of the people. At the same time, if the Union should go to pieces utterly, what should she do to save her own staunch ship from the general peril? The ties of blood and of institutions bound Kentucky with the Southern States, which were soon to drift away from the Union. The pledge of political faith tied her to the fragment of the Union with which she had not much of social sympathy, and in which she could not expect much comfort. Surely, never was a people more unhappily placed. Out of this chaos of anxious doubt there came a curious state of mind, which soon took shape and action.

"The general opinion of Kentucky was that the war was an unnatural strife, which would necessarily result in the certain, though, as hoped, temporary disruption of the Union they loved so well. They did not believe that the States had a moral right to secede; on the other hand, they did not believe that the Federal Government had the constitutional or other right to coerce them back into the Union. Their profound desire and preference was that the withdrawing States should be allowed to go in peace. She would stay where her pledges kept her, and, after a sorrowful experience, she believed that her erring sisters would return to the fold. If the Federal Government determined what seemed to them the unconstitutional process of arms to compel the States to return into the Union, Kentucky would have no part in the process. She would stand aloof, while both North and South left the paths of duty under the Constitution, bidding them not to invade her soil with their hostile armies. In the wild talk of the time, this neutrality project of Kentucky was denounced as cowardly. There may be in the world people whom it would be proper to defend from this accusation; but not in this history. With Kentucky, this attitude was a sorrowful and noble, though, it must be confessed in the after-light of events, a somewhat Quixotic, position. In the rage of the storm almost ready to break in its fury upon the country, it appeared at the time a very rational standing ground. If war came into Kentucky, it would be internecine and fratricidal. It was not the fear of war, for the losses and dangers it might bring; but our people did look with terror on the fight between friends and neighbors and brothers. They were justified in their own minds, and will be justified in the reasonable opinions of mankind, in adopting what appeared

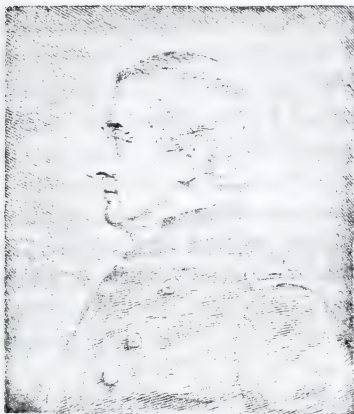
to them would avert such war, and possibly enable them to stand finally as peacemakers between the hostile sections."

On the assembling of Congress in December, 1860, John J. Crittenden introduced his famous compromise into the Senate of the United States: to restore the Missouri line of $36^{\circ} 30'$; prohibit slavery north of that line; permit it south, if the people of the State wished; prohibit Congress from abolishing slavery in the States; permit free transmission of slaves through any State; pay for fugitive slaves rescued after arrest; and to ask the repeal of personal-liberty bills in the Northern States. These provisions to be submitted to the people as amendments to the Constitution, and, if adopted, never again to be disturbed. Mr. Crittenden followed the reading of these with one of the most eloquent and touching speeches of his patriotic life; but in vain. They were voted down by a majority of thirteen.

A convention of the constitutional Union men of Kentucky, both of the Whig and Democratic parties, met in Louisville on the 8th of January following, indorsed these resolutions, and deplored the existence of a Union to be upheld by force of arms. On the 17th, the Legislature met, pursuant to the call of Governor Magoffin, in extra session, and passed resolutions inviting a national conference convention of delegates to meet for the purpose of considering measures of conciliation. This body also declared, by resolution, "the unconditional disapprobation of Kentucky of the employment of force in any form against the seceding States." Upon the 25th, another resolution appealed to Congress to call a convention for proposing amendments to the Constitution of the United States, pursuant to the fifth article thereof. On the 29th, yet another appointed six commissioners to the peace conference, to be held at Washington, on February the 4th, in accordance with the invitation of the Virginia Legislature. This latter convention did assemble, with a representation of one hundred and thirty-three commissioners, from twenty-one States, and remain in session twenty-three days deliberating terms of compromise. All in vain! These expiring efforts to stay the swelling tides of coming wrath were more the wails and trepidations of despair than the sanguine expressions of hope.

On the 12th of April, 1861, General Beauregard ordered the batteries in front of the city of Charleston to open fire on Fort Sumter. On the 13th, after thirty hours of destructive bombardment, the fort surrendered. The intelligence, flashed over the wires to every part of the country, intensified the spirit and passions of the belligerent sections beyond all control. The conflagration of war swept like a terrible cyclone over all parts of the sundered nation.

Major Robert Anderson, one of the most trusted and honored officers of the United States army, was in command of the fort at the time. He did all that human skill and power could do in defense, yet conscious that the destruction of the fortress was inevitable. His fidelity refused a surrender until every means and art of resistance were overcome. His gallantry



GENERAL ROBERT A. ANDERSON.

and grace commanded the praise of friend and foe alike. This distinguished gentleman was born at Louisville, June 14, 1805, and was a graduate of West Point, where for a time he was instructor of artillery. He served with credit and gallantry in the Black Hawk war, and in the Seminole campaigns, where he was breveted captain in the regular army. He was aid to General Scott, and in 1841, was made colonel of artillery. He shared in the fortunes of General Scott's army in the invasion of Mexico, and was wounded at Molino del Rey. In 1853, he was placed in charge of the military asylum at Harrodsburg; and in 1857, was major of the First United States artillery. In 1861, he commanded the important post of Charleston harbor, and met the shock of battle that inaugurated the terrible war of sections, as related above. General Anderson was afterward placed in command of the Kentucky department, and served with great honor and acceptance for a time, until failing health, in 1863, compelled his permanent retirement from the service. While on a tour of Europe seeking a restoration of health, he died at Nice, October 26, 1871, yet honored and beloved by his countrymen and friends.

¹ On the 15th of April, President Lincoln called for seventy-five thousand troops. The following telegraphic correspondence took place:

"WASHINGTON, D. C., April 15, 1861.—*To His Excellency Beriah Magoffin, Governor of Kentucky:* Call is made on you by to-night's mail for four regiments of militia, for immediate service.

"SIMON CAMERON, *Secretary of War.*"

"FRANKFORT, KY., April 15, 1861.—*Hon. Simon Cameron, Secretary of War:* Your dispatch is received. In answer, I say, emphatically, Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States.

"B. MAGOFFIN, *Governor of Kentucky.*"

In a speech at Lexington, Senator Crittenden appealed to Kentucky to take no part in the fratricidal strife. The "Union State Central Committee," John H. Harney, George D. Prentice, Charles Ripley, Philip Tomppert, Nathaniel Wolfe, William F. Bullock, James Speed, Hamilton Pope, William P. Boone, and Lewis E. Harvie, issued an address of the same purport to the people. Petitions from thirty-one central counties, numerous signed, came in to the Legislature, "from the mothers, wives, sisters, and daughters of Kentucky," praying to "guard them from the direful calamity of civil war, by allowing Kentucky to maintain inviolate her armed neutrality." Late in April, President Lincoln assured Hons. John J. Crittenden

and Warner L. Underwood that he hoped Kentucky would act with the Government; but if she would not, and remain neutral, no hostile step should tread her soil. In his inaugural message, on the 4th of March, Mr. Lincoln said: "I declare that I have no purpose, directly or indirectly, to interfere with the institution of slavery in the State where it exists. I believe I have no lawful right to do so, and I have no inclination." But no oil of words poured on the waters could now still the tempest-tossed waves. Nor could Mr. Lincoln, with all the power of the United States Government at command, have long stayed the encroaching and inundating tide of anti-slavery sentiment within constitutional limits, even if he desired to do so. This the South well knew.

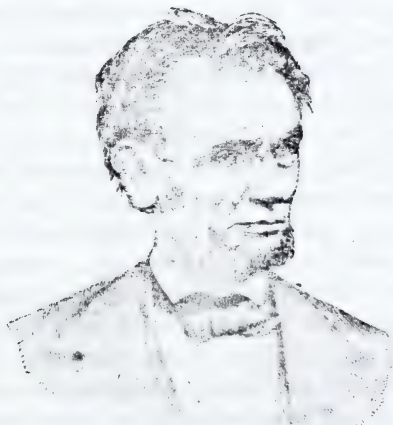
On April 22d, Hon. L. P. Walker, secretary of war of the Confederate States, requested Governor Magoffin to "furnish one regiment of troops, without delay, to rendezvous at Harper's Ferry, Virginia." A like refusal was the response.

Governor Magoffin having asked of Governors Morton, of Indiana, and Dennison, of Ohio, to "co-operate with him in a peace proposition to the Government at Washington, by the mediation of the border States," was refused by both.

¹ At an informal conference of leading men of the Bell and Douglas parties, John J. Crittenden, Archibald Dixon, and S. S. Nicholas, were selected to negotiate with Governor Magoffin, John C. Breckinridge, and Richard Hawes, of the Breckinridge party, to devise an adjustment that would bring about united action in the polling of the State. The first proposition, to call a State sovereignty convention to act in the emergency, was resisted by the Bell and Douglas men. The second proposition, to preserve armed neutrality, was unanimously agreed upon. The remaining subject of consideration, the raising, arming, organizing, and equipping the military forces of the State, was one of some contention; but it was finally agreed to recommend that this should be done, and that the work should be placed in the hands of a committee, composed of General Simon B. Buckner, George W. Johnson, Gustavus W. Smith, Archibald Dixon, and Samuel Gill, and report to the Legislature. This body refused to adopt the recommendation. But on May the 24th, the same body adopted the plan outlined, and appointed on the committee of management, Governor Magoffin, Samuel Gill, George T. Wood, Peter Dudley, and Dr. John B. Peyton, who were authorized to borrow one million dollars. Arms and ammunition were to be purchased for arming the Home Guards, as organized for home and local defense, only. These were not to be used "against the United States, nor the Confederate States, unless in protecting from unlawful invasion." The governor, with the consent of the Senate, appointed General Buckner inspector-general; Scott Brown, adjutant-general; and M. D. West, quartermaster-general. The provisions for arming were now complete.

At the special election for congressmen, in June, 1861, Henry C. Burnett was the only States' Rights candidate elected. Of Union men, James S. Jackson, Henry Grider, Aaron Harding, Charles A. Wickliffe, George W. Dunlap, Robert Mallory, John J. Crittenden, William H. Wadsworth, and John W. Menzies, were elected by an aggregate majority of 54,760. The result shows that the mass of the people were for the Union overwhelmingly. In August, one hundred and three Union and thirty-five States' Rights members were elected to the Legislature. These expressions of the popular vote, and of the decided sentiments of the Legislature in favor of the Union, greatly deterred the leaders in sympathy with the South, and correspondingly encouraged the friends of the Union. It is well-nigh certain that, if a sovereignty convention could have been called at any time before this formation of the Union sentiment and policy into active and aggressive life, the State would have been carried off into the act of secession, as Virginia and Tennessee were, by the sense of sympathy and kinship toward the South. But the opportune hour was permitted to pass by unavailed of, and it was now too late. The destiny of Kentucky in the gigantic struggle was determined, and for aught we know, the destiny of the Union, which may have hung in the balance.

The militia who volunteered their services were armed and equipped, but divided into two classes—the State Guards, who at once went into camp, and the Home Guards, who were held in reserve. It was openly alleged

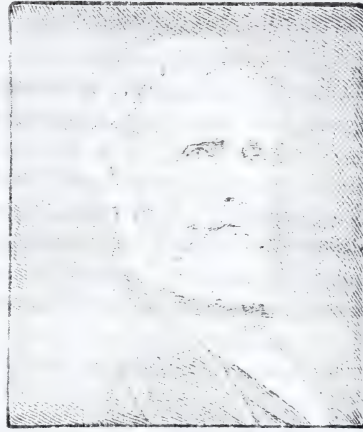


PRESIDENT ABRAHAM LINCOLN.

PRESIDENT ABRAHAM LINCOLN, sixteenth president of the United States, was born February 12, 1809, in Hardin county, Kentucky. His parents, Thomas Lincoln and Nancy, formerly Hanks, moved to Indiana in 1816, and in 1830, to Illinois. He was inured to all the hardships and vicissitudes common to early Western settlers, working, economizing, studying, and improving, under the strictest habits of self-discipline; served as captain in the Black Hawk war; eight years in the Legislature; qualified for the law, and in 1837, located in Springfield for the practice; elected to Congress in 1847, and led the Whig electoral ticket for General Scott, in 1852; after the Missouri compromise he became an open advocate of the anti-slavery republican party, and was elected president by it, in 1860; which election eleven of the Southern

States considered an adequate cause for seceding from the Federal Union, and the establishment of a Confederate Union, with Jefferson Davis for its president. The result of the two causes was the greatest civil war known in history. The presidents of the two great opposing powers were both natives of Kentucky, the State that labored longest and most earnestly to avert the war.

JEFFERSON DAVIS, president of the Confederate States, was born in Todd, then Christian, county, Kentucky, June 3, 1808; moved to Mississippi. Educated at Transylvania, Lexington, Kentucky, until sixteen, and graduated in 1828 at West Point. Served gallantly in the Northwest Indian wars, in the Black Hawk and Mexican wars. Filled a number of political positions of trust; in Congress as a representative, in 1845; in the Senate, in 1847, and in both again, subsequently. In the States' Rights contests for fifteen years, until the civil war, he was an able leader of his party, of invincible firmness and courage. After the acts of secession, and the establishment of the Confederacy, he was elected its president. It is a remarkable coincidence that the presidents of the United States and Confederate States were native-born Kentuckians, taking themselves ominously—the one South, the other North—in their boyhood days, to be schooled and trained to act their parts in the great drama of the "Irrepressible Conflict."



PRESIDENT JEFFERSON DAVIS

that the former were generally in sympathy with the cause of the South, and the latter, with that of the Union. These facts placed the State in a precarious attitude. There were fifty-four companies of State Guards, the only available military force in the Commonwealth, and their officers were generally men of Southern sympathies. On the 24th of June, General Buckner ordered six companies of these troops to Columbus, Kentucky, under General Lloyd Tilghman, to protect neutrality there, threatened by the Confederate forces. Very soon after, General Tilghman passed over the line, after resigning, and cast his fortunes with the Confederate cause. He was succeeded in command by Colonel Ben Hardin Helm. About the middle of July, at Camp Clay, opposite Newport, and at Camp Joe Holt, opposite Louisville, four regiments were being recruited from Kentucky, for the Federal service. At the same time, at Camp Boone, near Clarksville, Tennessee, the Kentucky volunteers to the Confederate ranks were making their way, and the like number of regiments, the Second, Third, Fourth, and Fifth Kentucky, were rapidly filling. These camps, on either side, served as temporary safety escapes to the irrepressible war elements.

The first overt act of violation of the neutrality of Kentucky was soon to follow. General William Nelson, gathering a nucleus of Home Guards, established a recruiting station at Camp Dick Robinson, in Garrard county, and there rendezvoused companies of volunteers from Northern, Southern, and Central Kentucky, and organized them into regiments. It was unquestionably a move sanctioned and aided by the Government at Washington. On the protest of Governor Magoffin, President Lincoln refusing to remove these intrusive and obnoxious forces, replied to Commissioners William A.

Dudley and Frank K. Hunt, that this force consisted exclusively of Kentuckians, in the vicinity of their own homes, and was raised at the "urgent solicitations of Kentuckians." The president added: "Taking all means to form a judgment, I do not believe it is the popular wish of Kentucky that this force shall be removed beyond her limits, and with this impression, I must respectfully decline to so remove it."

The same day, August the 19th, the governor had dispatched George W. Johnson to Richmond, as a commissioner to the Confederate Government, with a like request that the neutrality of the State be not invaded from that direction. President Davis replied in most courteous and respectful terms: "In view of the history of the past, it is barely necessary to assure your excellency that this Government will continue to respect the neutrality of Kentucky, so long as her people will maintain it themselves. If the door be opened on the one side for the aggressions of one of the belligerent parties upon the other, it ought not to be shut to the assailed, when they seek to enter it for purposes of self-defense."

The door had been thrown widely open by the bold act of General Nelson at Camp Dick Robinson; and no longer even the thin disguise of pretext could conceal that the authorities at Washington and the positive leaders of the Union cause, grown bold enough by the advantages they had won in the Fabian strategies of delay, were now concurring to throw off the mask of neutrality, and to lead the great mass of her people to a committal to the policy of coercion, under plea of loyalty and patriotic duty. The great majority of the people, who had been profoundly sincere and honest in the adoption of neutrality before, beheld now the misleading illusion vanish before their visions of hope. There had been to the date of this development, an able, positive, and powerful element of coercive Union men, and as able, positive, and powerful an element of secessionists, counteracting and balancing, each, the other, and thus enabling the sincere neutralists to hold in check the aggressive tendencies in either direction. The functions of neutrality ceased with the close of the first scene in the great war drama, and there was only left the choice of entering one of the encroaching and opposing armies, or to remain in the privacy of citizenship, subject to the vicissitudes of civil war.

On the 21st of July, the great battle of Manassas was fought on the soil of East Virginia, and the signal defeat, the total rout, and the wild, disorderly flight of the Union forces back upon Washington heralded throughout the land. If one party was elated, the other was correspondingly depressed; but from their different standpoints and with different emotions, both were more intensely wrought up to hostile defiance and determined resistance. The war spirit, once aroused, is terribly infectious among a people, and, once in conflagration, they do not reck of danger or pause to reason. The adoption of the fallacy of secession as the sovereign right of a State, and the formal respect of its observance, had lost the border States.

except Virginia, to the Southern Confederation, and mainly to the support of its cause. The sovereignty of the people, original and unquestioned, is greater than the measure of sovereignty they delegate to any government, and their right of revolution, for sufficient cause, is of universal concession. On plea of this right, our fathers justified their act of revolution and the war for independence before an approving world. Secession was but another style and form of asserting the right of revolution, but with restrictive and technical embarrassments that fatally forbade those measures in the outset most vital to the life of the colossal rebellion. Had the people of the seceding States planted themselves on the right of revolution, as did the colonies, and, recognizing that necessity, safety, and independence were paramount to States' rights, marched their armies across Maryland, Kentucky, and Missouri, and established their military lines upon the front borders of these, there is not a doubt that the soldier element would have gone into the ranks of the Confederate army as solidly in the three States mentioned as in Virginia, Tennessee, and Texas. This would have withheld West Virginia, lost one hundred and fifty thousand good soldiers to the Union cause, and added this number to the ranks of the Confederate army. It would have doubled the resources for army supplies and paralyzed the effective naval armaments of the Ohio and Mississippi rivers. It would have qualified the South to become invasive and aggressive. The military arm of the Confederate Government was led by as able generals and sustained by as brave soldiers as the world knew, but its controlling statesmanship was beset and blinded by idealistic abstractions of State sovereignty, which it seemed incapable of subordinating to the most evident and critical emergencies of war, even at the moment of providential opportunity. The foresight of statesmanship, the skill of military leadership, the bravery of willing soldiers—all were sacrificed to the Moloch of *doctrinairism*. Military necessity, in the presence and demand of such a destiny, can not afford to halt and worship at the temple of abstractionism. There never was an occasion more urgent for Napoleonic logistics and Napoleonic action; the *etiquette* of abstractionism could not admit of it.

Nullification was the first extreme interpretation of the doctrines set forth in the resolutions of 1798; *secession* was the second, and the most exhaustive demonstration. It is a shallow, if not an absurd, view to treat secession as a cause of the gigantic and destructive civil war between the North and South sections. The conspiring events of a century connected with the institution of slavery had brought about a divided sentiment, a conflict of interests and irreconcilable passions, which made war between the peoples of the two sections an impending and inevitable catastrophe. It is puerile and illogical to rail at secession as the *ogre* of the rebellion and strife. Secession had nothing to do with generating the causes of the war; it was powerless to arrest or avert its certain precipitation. It was but a method preferred by the discontented and aggrieved party to accomplish revolution

of government. It is only a question we discuss whether it would not have been wiser and more practical for the Southern people to have based their action on the right of revolution, and thus given themselves the widest latitude for military and diplomatic strategies while justifying their action before the consenting judgment of the civilized world. The experiment tried may make an end of secession as a doctrine of States' rights, but the *right of revolution* will ever live as a remedy to a wronged and oppressed people, and it would be but conjecture to say that, in the mutations of the affairs of governments and peoples, some States of the North section may not next be driven for refuge to its adoption as readily as those of the South to the more questionable remedy of secession. Who will next rebel? No one knows.

As it became apparent that neutrality was at or near its end, the soldierly element, sympathizing with the Confederate cause, made their way out of the State to the recruiting camps just across the Tennessee line, to be enrolled and formed into regiments. One regiment had previously been organized, under Blanton Duncan, colonel, and incorporated in the army of East Virginia. The State Guards moved out almost bodily, with the State arms retained, following their commander, General Simon B. Buckner. The roads were thronged with the hurrying volunteers, eager to join their fortunes with their Southern kinsmen, and in a few months it is estimated that well-nigh ten thousand Kentuckians had gone to the Confederacy.

Those of decided Union tendencies as busily flocked to Camp Dick Robinson and other recruiting posts, which were now being multiplied over the State. The Confederate volunteers followed the fortunes of such distinguished men as William Preston, Humphrey Marshall, S. B. Buckner, Roger W. Hanson, John S. Williams, Ben. Hardin Helm, John C. Breckinridge, George W. Johnson, John H. Morgan, and others of note. In the active lead of recruiting men for the suppression of the rebellion were William Nelson, Thomas L. Crittenden, Jerry T. Boyle, Speed Smith Fry, Frank L. Wolford, Thomas J. Wood, Walter C. Whittaker, J. J. Landrum, T. T. Garrard, John M. Harlan, John Mason Brown, and their commissioned comrades. The field of Kentucky having been abandoned to the military and civil jurisdiction of the Union authorities, now in open concert with the Federal Government, gave to the same an immense advantage. That *equivoal and moltable* element, which but too often passively forms a large percentage of the mass of the population of countries at war, and are liable to be operated on by the positive men of conviction on the one side or the other, were now at the entire disposal of the active Union authorities in the processes of recruiting.

By appointment, General Robert Anderson was called to the command of the Union forces in Kentucky. On September the 25th, the Legislature passed an act directing the governor, by proclamation, to call out forty thousand Kentuckians, from one to three years, "to repel the invasion by armed forces from the Confederate States." The accretions to the Federal

army swelled to large proportions. General Grant having moved a body of several thousand Union troops to Belmont, opposite to and threatening Columbus, Kentucky, about the 1st of September, on the 3d of that month a body of Confederate forces, under General Leonidas Polk, occupied and fortified at Hickman and Columbus. On the 5th, the Federal army in force occupied Paducah and other points in Kentucky. On the 6th of November, General Grant left his quarters at Cairo with a land and naval force, and landed some miles above Columbus, on the Kentucky shore, at the same time moving in the same direction a detachment from Paducah, as though designing an attack on Columbus. General Polk, observing the landing of a considerable body of Federal troops on the Missouri shore, seven miles above Columbus, divined at once that the former moves were to divert, and that the real aim was to overwhelm and capture the small garrison near Belmont. He dispatched General Pillow with four regiments across the river to re-enforce the garrison. Very soon after his arrival, General Grant commenced an assault, which was stubbornly resisted, and with varying fortune, for several hours. The Confederates, being outflanked, were forced back toward the river, when three regiments more were sent to the support of Pillow, and two others led into the action by General Polk.¹ The Federal army was soon driven back and forced upon a retreat, with very considerable loss. They were followed for seven miles up the river, and compelled to seek safety in their boats, repeatedly under destructive fire until at a safe distance. The Confederate loss was six hundred and forty-one in killed, wounded, and missing; that of the Federals about one thousand, among whom were two hundred prisoners.

² On the 10th of September, 1861, General Albert Sydney Johnston, having resigned his commission in the United States regular army in California, was assigned to the command of the department of the West, including Tennessee, Arkansas, Missouri, and contiguous territory. On his arrival at Nashville, on a survey of the situation, he determined to advance his military line into Kentucky. By his orders, General Buckner occupied Bowling Green, on the 18th, with five thousand men. At the time, General Polk moved his main forces to Hickman and Columbus; General Zollicoffer, with four thousand troops, on the extreme right of the line, was sent to occupy the valley of the upper Cumberland as far as Wayne county, or Cumberland ford. This formal invasion of Kentucky was claimed to be an act of self-defense rendered necessary by the action of the government of Kentucky, and by the evidences of intended movements of the forces of the United States already within the State. East of Columbus, Fort Henry, Fort Donelson, and Hopkinsville were garrisoned with small bodies of troops; and the territory between Columbus and Bowling Green was possessed by moving detachments which caused the supposition that a large military force was near and threatening an advance. Cumberland Gap was

¹ General Polk's Report.

² Jefferson Davis' History, Vol. I., p. 406.

fortified on the extreme right, to protect against any move on East Tennessee. Thus, General Johnston, when he took command at Bowling Green, on the 28th of October, found himself entrenched there, with his right wing reaching to Cumberland mountains, and his left to Columbus, on the Mississippi.

¹General Johnston afterward reports: "The enemy's force increased more rapidly than our own, so that by the last of November it ran up to fifty thousand, and continued to increase until it ran up to seventy-five thousand or more. My force was kept down by disease until it numbered about twenty-two thousand." He was fearfully deficient in arms and munitions of war, and, on the 19th of September, telegraphed President Davis: "Thirty thousand stand of arms are a necessity to my command. I beg you to order them procured and sent with dispatch." The response was that but only one thousand stand could be spared. During most of the autumn, one-half of this Western command were without arms. Later on, it was greatly strengthened by the addition of four thousand troops from Arkansas, under General Hardee, six regiments that had been recruited mainly from Kentucky, and twelve thousand men on requisition from Mississippi, Tennessee, and Arkansas, making a total of some forty thousand composing the entire forces.

On the 24th of September, General Anderson issued a proclamation that "no Kentuckian shall be arrested who remains at home attending to his business, and takes no active part against the authority of the General or State Government, or gives aid or assistance to our enemies."

In the last week in September, within four days, William Preston, William E. Sims, George B. Hodge, George W. Johnson, John C. Breckinridge, and other noted Kentuckians, with one thousand armed volunteers, passed through Prestonsburg, on their way to the Confederacy. James B. Clay, Charles S. Morehead, R. T. Durrett, and quite a number of well-known sympathizers with the South, were about the same time arrested, borne off, and shut up in prisons, some in Fort Lafayette, New York.

²On the 21st of October, General Zollicoffer, with five thousand men, advanced into Rockcastle county, and attacked the Seventh Kentucky Federal infantry, under Colonel T. T. Garrard, on Wildcat mountain. With the advantage of the forest undergrowth, and the deep gorges and ravines of the country, Colonel Garrard held him in check, until re-enforcements of six Federal regiments and a battery of artillery came upon the ground. After a severe fight, the Confederates were driven off, with a loss of one hundred and thirty killed and wounded, that of the Federals being not over twenty-five. Frequent skirmish fights took place, at West Liberty, at Hazel Green, in Green, Gallatin, Butler, Whitley, McLean, Lyon, and other counties, with not very important results to either side. At Ivy mountain, in Pike

¹ Davis' Rise and Fall of the Confederacy, Vol. I., p. 407.

² Collins' Annals of Kentucky.

county, a regiment of indifferently-armed troops, under General John S. Williams, was engaged in a spirited contest of an hour, with three regiments, a battalion, and a battery of artillery, under General Nelson, and compelled to retreat before the superior numbers, with some loss.

The Commonwealth was now a seething cauldron of active animosities, of unbridled license and violence, and of both petty and flagrant outrages on the persons and property of private citizens, as well as of those who, by overt speech or act, had avowed their hostility. It is not the province or privilege of the historian, however his sympathies and prejudices may incline, to indulge the charity that would conceal the motives of men, by burying their actions in the tomb of silence, that only the better side of humanity may appear. The functions of history require the hand of the faithful chronicler, if it must ever become "philosophy teaching by example." The distresses and horrors of civil war were widespread over the land, like the Upas shadows of wild chaos and disorder; while the tempest roar and beating waves of passionate fury but partially drowned the piteous wails and anguish that went up from broken hearts and desolate homes. Kentucky suffered her measure of retributive and penitential sorrows for the partial, and not entirely guiltless, part she played in the tragedy of war begun; yet her sorrow and sufferings were not to be compared with those that fell upon Virginia, Missouri, and some other of her sister Commonwealths, where the lawlessness of military license met no restraint from the assertion of civil authority, and where the habitations of men, over great areas of country, were converted again into resorts for wild beasts and birds of the wilderness.

Truly says Shaler: ¹ "A great sorrow fell upon the land. It was common enough to see strong men weeping for the woe that no hand could avert from coming upon their beloved State. One of the most painful features was the sundering of households that now took place. When the division came, very often the father went one way, the sons another. Usually the parting lines in civil war are drawn by neighborhoods and clans, but in this battle the line of separation went through all associations. Families, churches, friendships, business relations, seemed to have no influence whatever on the way men went. It was the most singular instance of independent mindedness that is recorded in history. There was an absolute forgetfulness of the moneyed value of the slave, as there was an absence of desire to secure other property. There was no drifting out of capital, of property, or of population, to escape the perils of strife, as usual in the beginnings of civil wars, and this shows the overwhelming intensity of the moral shock brought upon the consciousness of the people by the swift and appalling changes of the times.

The difficulty of maintaining the active authority of the civil law in this period of conflict was made the greater by the action of the Home Guards,

¹ Shaler's *Kentucky Commonwealths*, pp. 254-6.

a force that could not be kept in proper control. These were a local sort of military police, organized and armed at the same time with the State Guards, but maintained at home around the towns and neighborhood centers. While many men of character and integrity were associated with these, and rendered good service in restraining violence, yet they offered the tempting opportunity of gathering into their organizations the shiftless, prowling, and lawless element which, more or less, infest every community, at the expense of its peace and good name. The unusual compensation, the subordination of civil authority to a dispensation of military license, and the free and easy service, with little risk or sacrifice, made for them a long holiday of each year of their visitation upon the country. Too frequently, for the honor and good repute of our civilization, officers and privates availed themselves of this armed license to perpetrate needless and barbarous murders, to spoliage upon and appropriate or destroy property, to arrest and imprison men, and to injure, terrify, and annoy, with ruthless and cruel inhumanity. And these wrongs were most frequently done to neighbors and old acquaintances. The causes were variously traceable to partisan or personal malice, to covetous cupidity, or to the wantonness of drunken or passionate brutality. These phases and experiences of depravity are not phenomenal with Kentucky, nor were they a peculiar outgrowth of one cause militant, or the other. We shall see that from the ranks of the splendid manhood of the Confederate army there came out, to prowl and prey upon communities, in defiance of all restraints of civilized warfare, marauding bands of outlaws, who perpetrated murders, robberies, arsons, and outrages, and, under the abuse of Confederate authority, as wantonly as did the worse element of the other side. These are but few of the experiences invariably incident to civil war; and we picture them but feebly to reality, that the pages of history, from the pen of a present witness, may testify to another generation the calamities of such a war, which it would be ever better to avert by pacific and rational compromise, if men could only pause to consider in the midst of resentments. A very few vicious and violent men, in any community or organization, may serve to stigmatize the good order and good name of the whole.

In the first periods, the chief commandants sought to restrain all military outlawry. October the 7th, General Anderson issued Order No. 5, in reference to the conduct of Home Guards arresting and carrying off peaceful citizens, and directs a "discontinuance of these ill-timed and unlawful arrests." On his resignation and succession by General Sherman, soon after, the latter announced that "the removal of prisoners (except spies and prisoners of war) from the State, without trial by the legal tribunals, does not meet my approval." General Nelson, a man of hasty and furious passions, had recently had arrested, and sent to be imprisoned in Fort Lafayette, R. H. Stanton, W. T. Casto, Isaac Nelson, B. F. Thomas, and George Forrester, of Maysville. In the United States Court, at Frankfort, Judge Bland Ballard

presiding, there were found indictments for treason, on the 6th of November, against thirty-two notable citizens who had joined the Confederate arms, among whom were John C. Breckinridge, James S. Chrisman, Ben Desha, John M. Elliott, Humphrey Marshall, Ben J. Monroe, Phil B. Thompson, and John M. Rice. In ten days after, General Breckinridge assumed command of the First Kentucky brigade, Confederate States army. On December 2d, the United States Senate formally

"Resolved, That the traitor, John C. Breckinridge, be expelled."

¹ On the 18th of November, the States' Rights party met, by delegates, at Russellville, Kentucky, and organized a provisional government, under which the State went through the forms of admission into the Confederacy, on December 10th, and was accorded the right of representation. There were chosen, for governor, George W. Johnson; for secretary of state, R. McKee, and assistant, O. F. Payne; for treasurer, John Burnam; auditor, J. Pillsbury. The following were sent as delegates to the Congress, at Richmond, at an election on the 22d of January: W. B. Machen, J. W. Crockett, H. E. Reed, G. W. Ewing, J. S. Chrisman, T. L. Burnett, H. W. Bruce, George B. Hodge, E. N. Bruce, J. W. Moore, R. J. Breckinridge, Jr., and John M. Elliott. In the Kentucky Provisional Council, Henry C. Burnett and William E. Simms were elected senators to the same Congress.

In the early autumn, it was obvious that the organization of the State troops for service in the Federal army had become pressingly important. There was some difficulty in the way of this, from the fact that Governor Magoffin and his cabinet were known to be in sympathy with the Southern cause. It is a remarkable fact that the governor should have been able to maintain himself in office through eighteen months of this strife of elements, by strictly adhering to the letter and forms of the constitution and laws. He would veto every obnoxious bill passed in behalf of the Union cause, or injurious to the other side; but if the same was passed over his veto, he would faithfully execute it to the letter. This long forbearance and reliance on constitutional rights, under the severest chafing and provocations on both sides, evinced a spirit of profound regard for the law. However, Adjutant-General Brown having resigned about this time, a serious obstruction was removed. John W. Finnell, in full Union sympathy, was appointed in his stead, and by his superior organizing ability and unwearying energy, gave great impetus and success to the arming, equipping, and alignment of the Kentucky volunteers. It was not long before twenty regiments of these were fully prepared and added to the Federal army. During the month of December, a total of sixty-two regiments were paid off within the State, besides the troops stationed convenient to the border.

In December, a sharp and sanguinary battle was fought at Munfordville, between a body of Texas cavalry and a regiment or two of Federal infantry,

¹ Thompson's First Kentucky Brigade, p. 46.

resulting in the defeat of the former, with over eighty killed and wounded. The loss of the latter was thirty. About the same time, General Forrest defeated a small force of Federals in McLean county, with some loss, but no decisive consequence, like numberless similar combats which were but the lesser incidents of the war, and many of which are not of record.

¹ On the 10th of January, 1862, General James A. Garfield, having crossed the Ohio river with a division of several regiments, and marched up the valley of Big Sandy, engaged the forces of General Humphrey Marshall, near Prestonburg, in Floyd county. The object was, most probably, a diversion or reconnoissance, as the firing was a mere skirmish at long range, with trifling loss on either side.

The most serious battle on Kentucky soil, to that date, was at Mill Spring, in Pulaski county. General George B. Crittenden, commanding the extreme right of the Confederate line, left his entrenched camp at Beech Grove, on the north bank of Cumberland river, on the 19th of January, with his forces of five thousand infantry and one battery of six pieces, just after midnight. He advanced ten miles to meet the advancing Federal army under General George H. Thomas, composed of not so large a number of men, of whom were Colonel Fry's Fourth Kentucky infantry and Colonel Wolford's cavalry, two out of the five regiments. At six o'clock the firing began, and in half an hour the battle raged furiously. Information received by Crittenden of an aggressive move in force on his position, led him to take the initiative, in the hope of beating his enemy in detail. General Zollicoffer, second in command, led the attack; and for nearly four hours the fighting continued with doubtful result. ² About this time, General Zollicoffer was killed by a pistol-shot at the hands of Colonel Fry, throwing the Confederate ranks into some disorder. The Federals were just then re-enforced by Colonel William Hoskins, at the head of the Twelfth Kentucky, and some other supports, who succeeded in making a flank movement, and pouring in a destructive fire. Other re-enforcements under Colonel John M. Harlan coming up and swelling the army of General Thomas to seven thousand men, the Confederates were driven back upon their camp, and closely invested for a renewal of the assault the next morning. Under cover of a heavy cannonading during the night, General Crittenden crossed his troops over the river, and safely retreated into Tennessee, abandoning ten pieces of artillery, seven hundred old muskets, one hundred and sixty wagons, twelve hundred horses and a quantity of ammunition and stores—quite a serious loss to the Southern army. The killed and wounded on each side were between three and four hundred.

³ The forces had obviously been organizing and marshaling during the two months previous for the contest which must soon be waged for the

¹ Account of Colonel Henry Giltner, an officer present.

² Collins' *Annals of Kentucky*.

³ General William Farrar ("Baldy") Smith, in *Magazine of American History*, October, 1885 also official dispatches of Generals Buell, Halleck, McClellan, and secretary of war.

supremacy and occupancy of Kentucky by the one combatant or the other. Under General Buell, in early December, 1861, there were seventy regiments of infantry, three of cavalry, and seven batteries of artillery in Kentucky, making a total effective army of sixty thousand soldiers. General Grant had at Cairo, at the same time, 16,571, and General C. F. Smith, 6,781 at Paducah. General Halleck's monthly report showed that he had in the closing month of the year ninety-one thousand soldiers under his command in the Missouri department, which included those at Cairo and Paducah held for ready transport by water against Columbus or the forts on the Tennessee and Cumberland rivers. General Sherman, after succeeding to the command of the Kentucky, or Ohio river, department, on October 14th, remained until November 13th, when he was transferred to the Missouri department. General Buell was then appointed to the command thus vacated. The commander-in-chief of the United States army, General George B. McClellan, in dispatches sent in November, had defined the jurisdictions to Buell: "That portion of Kentucky west of the Cumberland river is, by position, so closely related to Illinois and Missouri that it has seemed best to attach it to Missouri." General Sherman, after a full survey of the field covered by the two commands, and menaced by the command of the Confederate general, Johnston, gloomily reported to the war department at Washington that it would require not less than two hundred thousand well-armed and equipped troops to resist or overcome the military forces of the Confederates and the aid and comfort to the same which the sympathizing population were ready to give. General Halleck reflected the same discouraging view in his dispatches, and indulged them in his military measures to an extent that seemed to confuse his mind and to paralyze for the time the important arm of the service placed at his disposal. He seemed to exaggerate the proportions of the obstacles to be overcome, and to manifest a timidity and hesitation unequal to the demands of a first great emergency. ¹As our authorities say, confirmed by official reports and dispatches, that confronting Halleck's large army "the whole organized Confederate force against which he was operating in Missouri did not amount to over *twenty thousand shoeless and half-armed men*. The improvised naval armaments and transporting fleets on the connecting waters of the Mississippi, Ohio, Cumberland, and Tennessee rivers gave an advantage for a concentrated attack on Columbus, Fort Donelson, or Fort Henry, while these points must be severally protected at all times by the divided Confederates in defense."

² At this time, Major Munford reported to the Confederate Congress that the effective force at Bowling Green was 12,500 and at Columbus and intervening points 20,899, which, with General Crittenden's command at Cumberland Ford and smaller detachments, approximated a total of 40,000.

¹ General Baldy Smith, *Magazine of American History* for October, 1883. Official Reports.

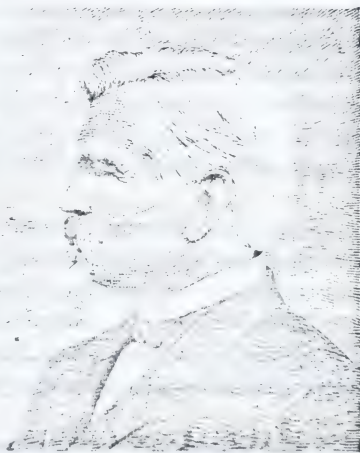
² General Baldy Smith, *Magazine of American History*, October, 1884. Official Reports.

"An abstract of return from Johnston's entire command, December 12th, including Arkansas and East Tennessee, and also 12,000 raw and badly-armed volunteers in camp in Alabama, Arkansas, Mississippi, and Tennessee, gives 77,908 of all arms." This, of course, embraced the twenty thousand badly-organized and armed volunteers confronting Halleck's army in Missouri. General Buell, in concert with General McClellan, was marshaling and disposing his forces for an advance against the Confederates in Kentucky, for which purpose the co-operation and concert of General Halleck was indispensable. But the latter seemed not yet to have comprehended or mastered the situation. He dispatched to McClellan: "This, general, is no army, but rather a military mob. You indicate an intention to withdraw a portion of troops from Missouri. I assure you this can not be done with safety. It seems to me madness. The 'On to Richmond' policy here will produce another Bull Run disaster." It was found necessary to restrict Halleck to the limits of Missouri, and to place the troops at Cairo and Paducah at the disposal of Buell. The latter wrote to the adjutant-general, on the 23d, that he had seventy thousand men in his command, fifty-seven thousand for campaign duty. A week after, he dispatched to McClellan: "I intend a column of twelve thousand men, with three batteries, for East Tennessee. * * * It is my conviction that all the force that can possibly be collected should be brought to bear on that point, of which Columbus and Bowling Green may be said to be the flanks. The center, that is, the Cumberland and Tennessee where the railroad crosses them, *is now the most vulnerable point.*"

Every effort of human agency and power had been put forth by the Confederate commander to recruit the strength of his long military line from Cumberland Gap, by Bowling Green and Columbus, far into Arkansas and Missouri, a distance of about four hundred miles. Requisitions were made for thirty thousand volunteers for a brief time, from the Southwest States. Many came forward, but the destitution of arms and munitions was such that barely one-half were serviceable. Thousands were armed only with old flint-lock muskets, hunting-rifles, or shot-guns, and many not at all. General Johnston apprehended a main attack in force on Bowling Green, but realized the weakness of the forts on the Cumberland and Tennessee, and the great danger of Nashville from the breaking of his line there. Re-enforced by Hardee, with four thousand men from Arkansas, by five thousand from Columbus, and some smaller bodies, his forces at Bowling Green were swelled early in January to nearly twenty-three thousand. On the 5th, the brigades of Floyd and Maney arrived from West Virginia, and were united with the divisions of Generals Buckner and Pillow, and sent forward for the defense of Fort Donelson. By a messenger to Richmond, he urged the forwarding of more men, saying, "I do not ask that my force shall be made equal to that of the enemy, but, if possible, it should be raised to fifty thousand men."

The defeat of General Crittenden on the extreme right, on January 19th, was a severe blow to the Confederate arms, and threatened a flank in that direction. On the 6th of February, the Federal plan was fully uncovered by the assault upon, and capture of, Fort Henry, on the Tennessee river, after a terrific bombardment by seven gunboats, with some fifteen thousand troops under General Grant, borne up on transports. General Tilghman, in command, sent off thirty-five hundred troops in retreat, before surrendering the fort and the garrison of seventy men. The loss in the fort was but fifteen men, killed and wounded; but the barrier to an entrance into Tennessee was broken, and the rear of the Confederate army seriously imperiled. It was a second catastrophe.

¹ The final third was soon to follow. In less than one week, General Grant, in command of forty-one regiments of infantry, four of cavalry, and ten batteries of artillery, supported by six gunboats, four of which were iron-clad, passed up the Cumberland river to Fort Donelson, near the Kentucky and Tennessee line. Fifteen thousand Confederate troops, under Generals Floyd, Pillow, and Buckner, in the order of their rank, re-enforced the garrison. The Second Kentucky infantry, Roger W. Hanson, colonel; the Eighth, under Colonel H. B. Lyon, and Graves' battery, were of Buckner's command. Through the 13th to the 16th day, the fighting was obstinate and sanguinary. On the night of the 13th, a midwinter storm of rain and sleet deluged the trenches, and exposed the half-sheltered troops to its pitiless fury, and to the intensest cold. The soldiers of both armies suffered terribly for three days and nights from this interlude of warring weather; of the one army less, because better clothed and protected. On the 13th, General Grant led his forces, thirty thousand strong, to a general assault, sustained by his heavy artillery, while the gunboats poured in a continuous fire from cannon and mortar upon the fortress. After desperate and sanguinary fighting for hours, the Federal army was repulsed and driven back. On the 14th, the gunboats were compelled to withdraw from the range of the fort, with two disabled and all more or less crippled. On the 15th, in a sortie made for the escape of the garrison, the battle was renewed with greater fury than ever, and the carnage very heavy. Under cover of Friday night, Generals Floyd and Pillow escaped with but a few of their commands, leaving General Buckner with the command of the army. On the 16th,



GENERAL SIMON B. BUCKNER.

¹ Collins' Annals of Kentucky; Thompson's First Kentucky Brigade; Official Reports.

the latter, after vainly seeking an armistice, surrendered to General Grant not far from twelve thousand prisoners, among whom were the Kentucky troops. They were sent to Camp Morton, Indiana, and held six months before exchange.

The Kentucky troops engaged on the Federal side were the Seventeenth regiment, under Colonel John H. McHenry, and the Twenty-fifth, under Colonel James M. Shackelford. On both sides, the Kentucky troops bore themselves with noted gallantry. The Federal loss was over twenty-four hundred, mostly killed and wounded; that of the Confederates, fourteen hundred and seventy, besides the prisoners surrendered.

Nashville now lay open to easy approach of the Federal army, by land and river. A solid line of one hundred and fourteen thousand troops and one hundred and twenty-six pieces of artillery was moved southward by General Buell. On the 25th, they entered Nashville. On the 14th, Bowling Green had been evacuated; and on the 27th, the stronghold of Columbus was abandoned to the advancing and victorious armaments. The army of General Albert Sydney Johnston retreated through the midwinter storm of rain and ice, before described, in advance of the Federals, to Nashville, and from thence to Murfreesboro, where he was joined by the forces of General George B. Crittenden. The army was reorganized on the 23d of February, comprising three divisions, under Generals Hardee, Crittenden and Pillow. The brigade of General John C. Breckinridge included the Third, Fourth, Sixth, and Ninth Kentucky infantry, Ben Hardin Helm's First Kentucky cavalry, John H. Morgan's squadron, and the light batteries of Byrne and Cobb. Southward the march was continued to Decatur, where the Tennessee river was crossed. The troops fell back to Burnsville, Mississippi, where the tents were pitched for camping. The army was much strengthened by the addition of the forces of General Beauregard, who became second in command.

Adjutant-General Finnell, on the 18th, reported the organization and officers of twenty-eight regiments of 24,026 infantry, six regiments of 4,979 cavalry, and two batteries of 198 men—29,203 effective volunteers in all, equipped for the Union service, in Kentucky.

¹ "On the 6th of March, President Lincoln sent in to Congress a special message, recommending, with cogent argument, the enactment of the following:

"*Resolved*, That the United States ought to co-operate with any State which may adopt a gradual abolishment of slavery, giving to such State pecuniary aid, to be used in its discretion, to compensate for losses or inconveniences from such change of system."

The resolution passed both houses by a vote of three to one. Both Kentucky senators, Lazarus W. Powell and Garrett Davis, the latter Union, voted against it, as did the border State members, mainly. It was not dif-

¹ Collins' Annals of Kentucky.

fault to determine at this time that one result of the war must be the certain extermination of the *peculiar* institution, and the loss of the property value in slaves. Yet not a responsible statesman South dared to open his eyes and behold the fact in its stupendous reality, prophesy it to his people, and bid them accept and prepare for the inevitable. Its acceptance then by Kentucky would have been worth one hundred millions of dollars to the slave owning citizens. The Southern rights men would have scorned the barter of such a compromise; those fighting on the Union side pledged that slavery should be intact, because the powers at Washington had pledged them the same, and they believed and trusted in that which was impossible. It is a phenomenal part of the war experience that, in no instance of several overtures made or suggested, did any representative body of the Southern people, Union or Secession, seriously consider the idea of compromise on the basis of a surrender of slavery, with compensation for the loss of property in the slave. There was an uncompromising and exalted pride in this that asserted itself over all considerations of wreck and ruin and poverty, the calamities of which were preferred to the humiliation of the other alternative.

Sunday morning, April 6, 1862, was serene and beautiful beneath a cloudless sky, near the border line of Mississippi and Tennessee. General Grant's army, forty thousand strong, was drawn up in order of battle near Pittsburgh Landing, with his fleet of gunboats and transports lying off in Tennessee river. General Buell was twenty-five miles in his rear, with thirty thousand men, pushing forward to form a junction. The Confederate commander divined the importance of crushing the two armies in detail. He strove hard to attack on the 5th; but in wielding large and complex bodies of men, somebody is always laggard, or something important left undone. He was delayed until the 6th. On that morning, before the camps had all breakfasted, the roar of cannon from the front of Hardee's corps, of fifteen thousand men, signaled the attack upon the Northern army. Though the question has been disputed, the best authorities assure us that it was a surprise attack. The Federals, driven precipitately back for a little while, reformed under cover of the forest and undergrowth, and recovered in part the lost advantage. Bragg's corps intermingled with Hardee's, and Polk sent one brigade each to the right and left of Bragg, leading his remaining two brigades against the center.

¹The "reserve corps," of seven thousand, in three brigades, under command of General Breckinridge, was brought up close in the rear of Polk's position, and held for supporting orders.

The brigade, composed mainly of Kentucky troops, was under command of Colonel Robert P. Trabue, and was made up of Colonel Ben Anderson's Third Kentucky, Colonel Hyne's Fourth Kentucky, Colonel Joseph H. Lewis' Sixth Kentucky, Colonel Thomas H. Hunt's Ninth Kentucky, the

¹ Thompson's First Kentucky Brigade, p. 99; Colonel Trabue's official report.

Fourth Alabama battalion, the Thirty-first Alabama regiment, Crew's Tennessee battalion, Byrne's and Cobb's two batteries, and Captain John H. Morgan's squadron of horse, in all about twenty-six hundred men. The two brigades of Bowen and Statham, of troops from other States, made up the remainder of the reserve corps. By order of General Breckinridge, Colonel Trabue formed his brigade in line of battle, in Polk's rear, and advanced, filing on the left, upon the Federal front. From this time until the army of General Grant was driven in disorderly defeat behind the banks of the river, and under cover of the gunboats, this brigade was almost continuously in the hottest and most destructive fire between the two armies. On the first advance of Colonel Trabue, General Breckinridge received orders to march, with Bowen's and Statham's brigades, to a position far to the right of the one held, and thus separated from Colonel Trabue for another part of the field. This command was held in reserve until two o'clock. Both wings of the Federal army had been broken and routed, but the center yet held its ground. General Breckinridge now received orders to break the Federal line at the center. Moving by the left flank until opposite the point of attack, Bowen's brigade on the left, and Statham's on the right, the line



GENERAL ALBERT SYDNEY JOHNSTON

GENERAL ALBERT SYDNEY JOHNSTON was born at Washington, Mason county, Kentucky, February 2, 1802; was educated at Transylvania, and graduated at West Point. Served with distinction in the regular army, in the Black Hawk war; resigned in 1835, to enter the cause of Texan independence; in 1837, became commander-in-chief of her forces; and secretary of war for the Texas republic, in 1839. In 1846, entered into the Mexican war, as colonel of First Texas infantry, and distinguished himself at Monterey; served on the Texas frontier some years; led the expedition against Utah, and appointed to command in California. In 1861, he resigned, and entered the service of the Confederacy, and was put in the responsible command assigned him, on account of the high estimate of his military talents, by

President Davis. General Johnston was undoubtedly possessed of rare military capacity, as shown in the marvelous skill and energy with which he brought order out of chaos, retrieved disaster, and crowned a difficult campaign with brilliant victory, just as he sealed his record with his life's blood on the fated field of Shiloh. Few men died more lamented and more inopportune, in the midst of the great sectional strife.

¹ General George B. Hodge's Official Report, as Staff Officer.

was formed and the attack made. The lines of the opposing forces were a sheet of flame, and men were falling by the hundreds. General Breckinridge determined to make a charge. Just as all was ready, the commander-in-chief, General Johnston, rode up, and learning the movement, determined to join in it. Conspicuous with his commanding person in full uniform, he awaited the signal. Together, generals, officers, and privates dashed forward at double-quick, upon the Federal front, facing a deadly fire of cannon and musketry. But the impetuous charge won the last position held, and the strong center shared the fate of the two wings. This victory was at a probably fatal cost. General Albert Sydney Johnston here received a wound that laid him upon the field among the slain.

About the mid afternoon, Colonel Trabue's brigade rejoined the other two brigades under Breckinridge, having fought their way through on the left wing; and the reserve corps stood for over one hour in the midst of victorious comrades, behind the bluffs of Pittsburgh Landing, and under the bombardment of the gunboats, with the routed and disorderly remains of Grant's army in the valley between, and almost at their feet. Had General Johnston lived, the three hours remaining would probably have served for the capture of the whole, the defeat of Buell, and a triumphant return march to the Ohio river.

General Beauregard succeeded to the chief command, but the victorious army seemed without a head for the remainder of the day. ¹In a conference of commanders the day before, Beauregard had advised against the attack, and on the next morning repeated the advice. After the death of the chief, he was found lying much indisposed in his quarters near Shiloh church, by General Harris, of Tennessee. The order had already been given for the final advance in force, for the capture of the defeated army, when the order came from General Beauregard, yet at his headquarters, directing the troops to be withdrawn and placed in camp for the night.

We have, of course, aimed to follow the actions of the Kentucky troops in this account of the operations, and will continue to do so. General Buell says: "Of the army of not less than forty-one thousand five hundred effective men, which Grant had on the west bank of the Tennessee river, not more than five thousand were in ranks and available on the battle-field at nightfall. The rest were killed, wounded, captured, or scattered in hopeless confusion for miles along the bank of the river." By the extraordinary march of Buell's army, of twenty-five miles, thirty thousand re-enforcements were added, and the broken and disordered ranks reformed, for an attack on the part of the Federal army, of over fifty thousand men, on the next day. The energy and skill of General Buell met an emergency, overcame disaster, and delivered successful battle, with results as

¹ General Bragg on Shiloh: Davis' History, Vol. II., pp. 62-7; General Gliner, Chief Engineer Confederate States Army, to Colonel W. P. Johnson: General Hardee's report: Federal official reports.

fortunate for the Federal arms, as the failure of General Beauregard, on the day before, had been calamitous to the cause of the South.

¹ Mainly with Buell's army, there were of Kentucky troops the First, Second, and Third cavalry, and the First, Second, Third, Fifth, Sixth, Ninth, Eleventh, Thirteenth, Seventeenth, Twentieth, Twenty-third, Twenty-fourth, and Twenty-sixth infantry, sixteen regiments of about twelve thousand men. Early on the morning of Monday, the 7th, the Confederate lines were assailed with superior numbers; and with brave assault and resistance of battle throughout the day, both armies gallantly braving the issues of life and death, the field of battle was reoccupied by the Union army at sunset of that day. Among the notable incidents of the strife, Governor George W. Johnson, having his horse killed under him, seized a musket, and joined in the thickest of the fight, as a private, in the company of Captain Ben Monroe, and fell mortally wounded, in the front of battle. It was a rare coincidence that Kentucky's two greatest Johnsons, then her chiefest civil and military representatives on the Southern side, should each have yielded up his life while performing exceptional deeds of heroic service on the same field of Shiloh.

On either side, the Kentucky troops fought with a valor worthy of their fame. The loss of the Confederate army in the conflicts of the two days was 10,699, in killed, wounded, and prisoners; of the Union army, 13,573; twenty-five per cent. of the former, twenty per cent. of the latter. The loss of the Kentucky troops on the Confederate side was 680; of the same on the Federal side, over eight hundred.

It would be beyond our province to follow with narrative of details the First Kentucky brigade to Corinth, through the first siege of Vicksburg, the battle of Baton Rouge, and the return to Murfreesboro, where next we may meet, and renew acquaintance; and with like regard, we must leave to other history, the marches and battles of the Kentucky Federal regiments, whose military fortunes were cast with the armies in the same field.

In the autumn of 1861 and after, there was unconsciously in training the improvised nucleus of an arm of service which was destined to become, for its numbers, one of the most active, original, and potential produced in the annals of war. ² On announcement of the order by the authorities in Kentucky to disarm the State Guards, Captain John H. Morgan, in command of the "Lexington Rifles," secretly loaded the arms of his company into wagons, on the night of September 20th, gathered around him fifty faithful adherents, and moved out through the country to join the fortunes of the army of General Johnston around Bowling Green, falling in with Captain J. C. Wickliffe's company, from Nelson county, on the way. On the 30th, they were welcomed by the Confederate forces holding the coun-

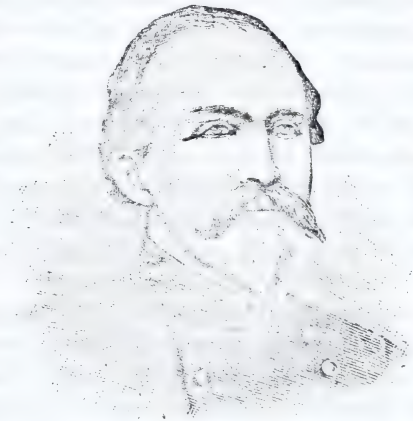
¹ Collins' *Annals of Kentucky*.

² Duke's *History of Morgan's Cavalry*, p. 89.

try on the south side of Green river, from Woodsonville to Bowling Green, and under the command of General Buckner. An experience at Buena Vista in the Mexican war and years of drilling of an amateur company had given to Morgan's intuitive military talent an education that proved of immense advantage in the after development. In this field he at once began active operations. Instead of confining himself to mere picket duty, as the other cavalry had done, he began with his unfilled company those frequent scouts and excursions in front, on the flanks, and sometimes in the rear of the Federal advance, that enabled him to acquaint himself with and report the numbers, the positions, and the movements of the enemy from day to day. These "excursions" were undertaken three or four times every week, and usually occupied about twenty-four hours each. The scouting party would set out at or a little before dark, and cover the movement for the first twelve hours under the shadows of the night. Morgan at the first declared that cavalry could be employed to far better advantage if kept well out upon the front or flanks of the army to which it belongs, *and close upon the enemy*, than by exacting of it the sort of duty that can as well be performed by infantry. On the return of day,

the scouting party would take a position on the line of retreat at a convenient but safe distance from the enemy, rest and refresh men and horses, observe closely the positions and movements in the hostile lines, and, as the day declined and all seemed quiet, return to camp. Sometimes fifty miles, and, exceptionally, over sixty miles, would be made in twenty hours. Often skirmishes with the pickets and outposts of the enemy occurred, and with occasional killed, wounded, and prisoners, on the scale of scouting. Morgan's company was joined by that of Captain Thomas Allen's, of Shelbyville, and Captain James Bowles, of Glasgow, and thus was made up "Morgan's squadron." In gathering in horses, cattle, and army supplies, in disconcerting and annoying the enemy, and in advising and protecting the main body of the Confederate army, their services had already become invaluable. The bridge over Nolin creek was burned in front of the advancing Federal army, causing serious delay and trouble. In twenty hours he rode into Lebanon, Kentucky, burned the enemy's stores, and brought off a number of prisoners, and did many other acts to disconcert and baffle the foe.

In this school of training began the history of the famous "Morgan's



GENERAL JOHN HUNT MORGAN.

Cavalry," afterward to become an important military factor in the civil war. The squadron was swept along with the current of events to Shiloh, in which battle it participated as part of General Breckinridge's reserve corps. From this field the squadron, on detached service, made its way, with varying incidents and adventure, back to Middle Tennessee, and as far as Cave City, Kentucky, returning southward once more. The details of the romantic career of these bold riders and their daring chieftain until their reorganization at Chattanooga may be read with thrilling interest in Duke's "History of Morgan's Cavalry." We must confine our narrative to the main events in Kentucky. In all the important operations of this command, in which he became the second in authority, the skill and energy of Colonel Basil W. Duke lent an indispensable service of aid to Morgan which contributed very largely to the marvelous accomplishments of the squadron. Indeed, the sagacity of Morgan in the officering, equipping, and make-up of his command was next to his tact and generalship in the field. When the reorganized force left Chattanooga, a few days after, for Kentucky, no better men could have been placed in supporting command than Major G. W. Morgan and Captains Richard M. Gano, Jacob Cassel, John Allen, James Bowles, John B. Castleman, John Hutchison, Thomas B. Webber, and McFarland.

The command of Morgan re-enforced by Colonel Hunt's rangers and Gano's Texans, eight hundred and seventy-six strong, entered Kentucky on a flying campaign early in July, 1862. They were well mounted and armed and carried a small battery of two light mountain howitzers, which proved of most effective use in shelling an enemy within eight hundred yards and throwing grape and canister three hundred. They could go anywhere a light wagon could go, and could be carried by hand along the line as close to the enemy as the line could move. Morgan's troops were armed for both infantry or cavalry fighting, carrying an Enfield or other gun and two army Colt revolvers each. They fought usually dismounted and as infantry. ¹It is said that the peculiar methods of operating around the enemy and raiding for hundreds of miles in his rear caused the Federal army to employ one-fourth its forces for rear guards. With one thousand horsemen under such leadership, and with the privates capable of acting individually in almost any emergency, it was possible to keep employed ten thousand of the enemy in the defense of depots and communications. Even thus, Morgan was able to capture these posts, to break communications, and to break up and disconcert the enemy's plans to a large extent. Morgan's officers and men were mainly Kentuckians, and their wonderful work is the best evidence of capacity. It showed the possession of fertility of invention, endurance, and vigor of action demanded in successful war. His methods and tactics were suggestive, and came to be imitated by the leaders of mounted forces on both sides in time.

¹Shaler's *Kentucky Commonwealths*, p. 288.

¹On the 8th of July, the command crossed the Cumberland river, and late in the afternoon attacked and routed a force of three hundred and fifty Federals, under Major Jordan, at Tompkinsville, inflicting a loss of over forty killed and wounded, and many more prisoners, Major Jordan among the latter. Passing through Glasgow the next day, a halt was made at Bear Wallow, where Ellsworth, an expert operator on Morgan's staff, tapped the telegraph line between Louisville and Nashville, to obtain the necessary information of the Federal forces in Kentucky, and from Federal headquarters. Connecting an instrument and wire carried for the purpose, he obtained what he wished to know, under guise of friendly assurance, and, in return, sent misleading messages concerning Confederate plans and movements, especially of Morgan's command. Pushing forward, Lebanon was reached and captured after nightfall of the next day, with two hundred prisoners, and a large collection of stores, of arms, ammunition, and provisions. After sending out detachments to break the railroad lines and prevent pursuit, destroying nearly a million dollars' worth of army property which could not be used, and using the telegraph as at Bear Wallow, the command moved on through Springfield, Harrodsburg, Lawrenceburg, and Versailles, to Midway, with skirmishes and adventures along the route. At Midway, the telegraph station and operator were captured, and utilized as before by Ellsworth. With the official and signal book of the regular operator, telegraphic strategy was put actively into effect along the main lines to Louisville, Cincinnati, and Lexington, and immense excitement created at these places, and over Central Kentucky, from exaggerated reports of Morgan's forces and exploits, sent from Midway. In the midst of this disordered chaos and puzzle of the Federal authorities at the various important posts, the main body of the Confederate cavalry moved to Georgetown. From this point, after sending a small detachment to make a feint on Lexington, as at Frankfort, Morgan directed his march to Cynthiana. Here Colonel J. J. Landrum, a brave and gallant Federal officer, held this post with six hundred men and one twelve-pound cannon. On the 17th, an attack was made in force by the Confederates, with their usual daring. The defense was bravely and skillfully conducted, and for several hours the ground was contested from house to house and from street to street, the citizens taking refuge in cellars and other secure places. At last all resistance was overcome, with a loss to the Federals of nearly five hundred killed, wounded, and prisoners, and about fifty killed and wounded of the Confederates. Colonel Landrum, mounted on a splendid horse, when the issue of battle was over, after fighting to the end of hope, made his escape from the pursuing enemy.

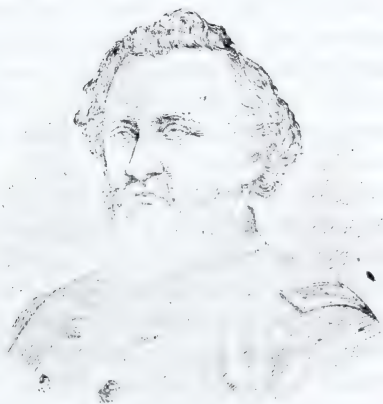
From Cynthiana, Morgan's cavalry passed on to Paris, and out of Kentucky by way of Winchester, Richmond, Crab Orchard, and Somerset, destroying many wagons and stores. On this route he was hotly pursued by a

¹ Duke's History of Morgan's Cavalry, p. 184.

Federal cavalry force of twelve hundred men, under General Green Clay Smith, who came near enough to skirmish with the rear guard of the rapid raiders only. The exit from Kentucky was completed by way of Monticello, with Colonel Frank L. Wolford menacing the flank. In his official report, Colonel Morgan says: "I left Knoxville July 4th, with about nine hundred men, and returned to Livingston, Tennessee, on the 28th, with nearly twelve hundred men, having been absent just twenty-four days. During this time I traveled over a thousand miles, captured seventeen towns, destroyed all the government supplies and arms in them, captured three hundred government horses at Cynthiana, dispersed fifteen hundred Home Guards, and paroled nearly twelve hundred regular troops. I lost, in killed, wounded, and missing, of the number I carried into Kentucky, about ninety men."

Colonel Frank L. Wolford's regiment of Federal cavalry, raised in the upper Cumberland and Green river portion of the State, obtained noted reputation for its activity and efficiency in the service on that side, as did other cavalry commands on both sides of the contest. The same may be said of infantry commands mainly contributed by Kentucky to the one cause or the other, but the history of those brave men and deeds have had no special compilation; nor will the limits of this work admit of more than a partial narration of such commands and their operations as will preserve the connection of main events of the war, and on either side.

General Jerry T. Boyle was appointed military commandant, June 1, 1862, with headquarters at Louisville. The Government at Washington



GENERAL JEREMIAH TILFORD BOYLE.

was demanding the enforcement of a more threatening and intimidating policy in the border States, and especially in Kentucky, as the North and South factions had crystallized into decided hostility, and the actions of adherents on either side boldly tended to give aid and comfort to the one cause or the other, as they had espoused. Recruiting, furnishing information, sending out supplies, and sheltering the bold scouts and raiders across the military line, were as ardently and as defiantly done by

the "*Secesh Sympathizers*," as the friends of the South were called, as they dared. Secret messengers and spies continuously passed through the lines, bearing communications between the Confederate army and their civilian friends in the Federal rear. This irrepressible Southern element, in continuous activity, managed to keep in fomenting and menacing condition the

rebellious population throughout the State. It is true that the more lawless of the Home Guards and violent Union men were giving even more trouble and annoyance to the people, as they had more authority and opportunity. Yet it was not strange that, in such a stage of pervading war, the power holding possession and jurisdiction should adopt and execute the severest measures of repression, not incompatible with the laws of civilized warfare. The formidable armaments and the titanic resistance of the Confederacy had put the powers of the Federal Government to the strain of exertion that called forth every resource of war.

¹In accordance with the orders of the war department, provost marshals were appointed in all the counties by the commandant. Orders were issued to these, to require that all who had joined the Confederates, given aid, or gone beyond the lines, should now report themselves, take the oath of allegiance, and give bonds for future submissiveness, on penalty of arrest and imprisonment. Second—All who should hereafter give aid and comfort to the enemy must be arrested and *dealt with according to military law*. Third—When the person or property of loyal citizens should be damaged by marauding bands of guerrillas, the disloyal citizens of the locality must be held responsible, and a military commission appointed to assess damages and enforce compensation. A form of an oath of allegiance was drawn up for the signatures of the disloyal, and beneath was printed: "The penalty for violating this oath is death." Many arrests were made under these orders, and a number of citizens sent to prison at Louisville, Newport Barracks, Camp Chase, at Columbus, Ohio, and elsewhere. On the whole, these laws were enforced with moderation, in the hands of officials who, though determined partisans, were honorable and humane men; yet there were some who seized upon the opportunity to inflict much injury, annoyance, and loss, unnecessarily, to citizens of the State. The people of a district or county fared well or ill, according to the character of the petty local provost in authority. While the rude and cruel excesses of some gave their proceedings a character of infamy, the neighborly friendship and kindness of many in like authority became a shield of protection and safety to the citizenship around. Indeed, throughout the war, the integrity and humanity of men in power on both sides, made a never-absent restraint upon the spirit of lawlessness, that is inseparable from a state of civil war. The dashing and successful raid of Morgan's cavalry through Central Kentucky, however, produced almost a panic of consternation in the Union quarters, and very much exasperated the authorities to acts of greater severity.

The subsequent tyrannical measures which the authorities in Kentucky were called on to execute, emanated from the cruel and merciless nature of Edwin M. Stanton, secretary of war, with whose name the responsibilities should be placed more than with any other man. A reign of martial law, overriding the civil authorities, for over two years, brought out its natural

¹ Collins' Annals of Kentucky.

fruitage of lawlessness and violence, on the part of the vicious and unscrupulous class, who dared any outrage under pretext of military license. While military commandant, General Boyle executed the policy outlined and ordered, perhaps with as much leniency as he was allowed, but with a severity that even strained the rules of civilized warfare, and under a condition of martial law. Behind this aspect of official severity, the commandant was a man of personal integrity and honor, and of kindly and humane disposition. He was inflexibly loyal, and sought only to serve his country and cause faithfully. His execution of Stanton's policy has been criticised, perhaps with not always deserved censure. His dilemma was one that repeatedly fell upon good men in authority during this period of anarchy. They had the choice to remain in office and execute the oppressive orders of their superiors, with such leniency as they could personally extend; or resign, and open the way for some unscrupulous and vindictive successor to add the violence of execution to the cruelty of the spirit of orders sent him. In this way some of the purest men of Kentucky, known to the author, bore the censure of popular malediction, while standing between the execution of a harsh policy and its violent abuse in less worthy hands. The force of this extenuation will be seen in the following pages, in which are recorded the acts and administrations of the petty Neroes of murder, outrage and robbery, who succeeded on the retirement of General Boyle, only to institute a reign of terror, such as Kentucky had never before known, and under which General Boyle declined to be executioner.

¹Under orders issued, hundreds of citizens of disloyal sentiment were arrested and sent off to prisons, among them Revs. Stuart Robinson, Mr. Duncan, S. D. Baldwin, R. Ford, Thomas J. Fisher, W. H. Hopson, and others of the ministry; Messrs. James O'Hara, Thomas L. Jones, Hubbard D. Helm, Lucius Desha, and scores of private citizens. Prisons were prepared for disloyal women, though these were yet but little used. The provost marshals were instructed to allow no one to stand for office who was of Southern sympathy, and among the many candidates who withdrew under this rule of the bayonet were some of the best and quietest citizens. Under the orders of Colonel Noble, in Paducah, the soldiers entered the courtroom and broke up the court while in session. Thousands of dollars of indemnity assessments were collected of innocent citizens. These invasions of personal liberty and overthrow of civil authorities are the invariable consequences of a protracted state of civil war; they are peculiar to no age or people of past history. We mention here but a few of their incidents, that the future citizen who reads may learn to know the realities of war only to abhor and avoid its passionate strifes and cruel inhumanities, where the worst men and the worst nature of good men are ever in dominant activity.

The effect of hostilities to this date on the value of slave property was very fairly illustrated at the sale of eleven slaves in Madison county in May.

¹ Collins, Vol. I., *Annals of Kentucky*.

1862, who brought at public outcry one hundred and forty to three hundred and eighty-eight dollars each. Two years previous, five hundred to twelve hundred dollars each would have been about the market value of these. The sentiment was universal that the institution had received its death-blow, but the speculative hope was indulged that Kentucky might in some way receive compensation, or that emancipation would be graduated so as to allow the owners of slaves the right of their services for a period of years.

¹In August, Adjutant-General Finnell reported the number of volunteers enrolled in the United States army from Kentucky to that date at forty-one thousand seven hundred and three. He announced that "no more volunteers for one-year mounted men would be received; the regiments are now full to overflowing."

During the summer of 1862, Governor Magoffin had exerted the extreme of his authority, as the civil head of the Commonwealth, to arrest the encroachments of military usurpations upon the rights of the citizens and the prerogatives of the civil powers. In vain had he ordered the courts held, the ballot-box to be open to every citizen with the right of suffrage, the rights of person and property to be respected, and the functions of civil authority ever to operate. The antagonizing sentiment between the Federal head at Washington, which found expression through both civil and military representatives, and the governor was irreconcilable, and the constant friction between the two was the cause of irritations not favorable to the peace of the public. Believing that the time had come when it would be better to relieve himself of further responsibility, Governor Magoffin, on the 16th of August, sent in to the Legislature a message tendering his resignation, to take place on the 18th, and at the same time the following document:

"At any time within the last eighteen months I have been willing to resign my office, could I have done so consistently with my self-respect. But the storms of undeserved abuse which have been heaped on me, and the threats of impeachment, arrest, and even assassination, repeatedly made against me, have compelled me to continue in the quiet discharge of my duty. As yet, no one has dared, before any tribunal of authority, to prefer a charge against me. My political friends—and by this term I mean the Southern rights party, a great many of whom are not, and never have been, *secessionists*—have been subjected to what seems to me, in modern times, an unexampled persecution. It became impossible for me to relieve them, and yet I could not reconcile myself to even appear to desert them in their need. Could I be assured that my successor would be a conservative, just man, of high position and character, and that his policy would be conciliatory and impartial toward all law-abiding citizens, however they may differ in opinion; that the constitutional rights of the people would be regarded, and the subordination of the military to the civil power be insisted on and maintained, I would not hesitate to put aside the cares of office and to tender my best

¹ Collins, Vol. I., *Annals of Kentucky*.

wishes to such an executive. Without a satisfactory assurance to that effect, you must admit that, in justice to my friends, I can not and ought not to resign."

¹Senator John F. Fisk having been elected speaker on the death of Lieutenant-Governor Lynn Boyd, and thus put in the line to succeed to the gubernatorial vacancy, by previous concert, resigned, and James F. Robinson was elected speaker of the Senate in his stead, before the announcement of Governor Magoffin's resignation. Governor Robinson was then installed in office, and D. C. Wickliffe appointed secretary of state.

There is little doubt but that to effect this change of governors was a main object of the severe pressure brought to bear by the commandant, General Boyle, concertedly endorsed by the leading Union civilians of the State, upon the Southern rights sympathizers thereof. At the same date of the change, Provost-Marshal Dent, of Louisville, announced that "no arrests must be made except for causes set forth in General Boyle's order No. 4. The charge must be specific and supported by the written affidavit of one or more responsible persons;" that General Boyle orders that "he execute his office under the governor, and that provost-marshals who, directly or indirectly, take money from persons arrested, in the shape of fees for oaths, bonds, or otherwise, will be arrested and brought to headquarters." The severity of martial law was generally relaxed, for that period. The facts and inferences go far to relieve General Boyle, a gentleman of irreproachable personal honor, from the mistaken imputations of malice and cruelty so inconsiderately put upon him. Fortunate, indeed, for the people of Kentucky would it have been had he been retained in authority until 1865.

Kentucky was now detached from the department of the Cumberland, within the command of General Buell, and made part of the new "department of the Ohio," placed under command of General H. G. Wright, sent out from the East by Halleck.

²In the latter half of the summer, the incidents of military operations gave premonition of coming campaign and battle on a scale of magnitude to mark an epoch in the history of the war, of important bearing on its final issue. The main Confederate force in the Tennessee valley was moved from Tupelo to Chattanooga, where under the chief command of General Braxton Bragg, it was re-enforced to thirty thousand men, well armed and accoutered. General Kirby Smith held East Tennessee above, with fifteen thousand troops, and headquarters at Knoxville. General Stevenson, with five thousand men, lay south of Cumberland Gap, to guard against invasion there, while General Humphrey Marshall, with three thousand troops, was on the border line of South-west Virginia. There were bodies of cavalry and detached forces that swelled the total army within the command of Bragg to fifty-five thousand effective troops. General Buell held at his

¹ Collins, Vol. I., *Annals of Kentucky*.

²Official reports; General Duke, in *History of Morgan's Cavalry*.

command about forty thousand veteran Federal troops in Middle Tennessee, with Nashville the base of operations and supplies. General Morgan held Cumberland Gap, with eight thousand, and there were fifteen thousand more effective men at different points in Kentucky. Van Dorn and Price held General Grant yet in Mississippi.

Skirmishes and fighting were of daily occurrence, in advance of the great struggle to come. Morgan's cavalry had been ordered by Bragg to obstruct the railroad north of Nashville to Bowling Green. He found Gallatin guarded by Colonel Boone, of the Twenty-eighth Kentucky, with two hundred and fifty soldiers, and soon captured these and destroyed the army stores. Capturing a train of freight cars, they were run into the tunnel, some miles south of Gallatin, and set on fire. The wooden bracings of the tunnel were burned, and, the debris falling in from the top and sides, made the railroad impassable for weeks at this point, cutting transportation between Nashville and Kentucky. Falling back toward Hartsville, Morgan's force of seven hundred men was pursued and boldly attacked by eight hundred cavalry, under General R. W. Johnson, of Kentucky, at the junction of the Scottsville and Hartsville turnpikes. After several hours of stubborn battle, both commands showing great gallantry, General Johnson was defeated, with a loss of one hundred and sixty killed and wounded, and as many prisoners, among the latter General Johnson and Major Tom Winfrey.

On the 23d, Colonel John Scott's regiment of cavalry, forming an advance scout of Kirby Smith's army, was attacked by Colonel Metcalfe's mounted regiment. After a sharp fight, the latter was routed, with a loss of fifty men. This was but an introductory skirmish. General Kirby Smith, after re-enforcing Stevenson, to watch Morgan at Cumberland Gap, to eight thousand men, left Knoxville with twelve thousand troops, and entered Kentucky through Big Creek Gap, twenty miles west of Cumberland Gap. Wishing to make a secretive and swift march, in order to strike the enemy by surprise, he left upon the route some five thousand of his command, under General Heath, to follow after, and traversed over one hundred miles of rugged mountain country by forced marches. On the 29th of August, his army of seven thousand engaged the Federal army, eight thousand in number, at Richmond, Kentucky, and heavy skirmishing ensued. On the morning of the 30th, General Manson, in command of the Federals, marched out in full force to renew the attack. Heavy fighting was brought on, and after three successive stands by General Manson, driven back each time, with severe carnage to either side, the Federal army was defeated, and driven into disorderly and hopeless rout. General Nelson, in chief command of these forces, rode fifty miles on a relay of horses on that day, and, on reaching the broken army, made heroic efforts to rally it, and renew the fight, but in vain. He was desperately wounded in the effort, and only escaped with his life by the discreet bravery of Colonel Green Clay Smith,

who safely bore him from the field and danger. The Federal loss was over eleven hundred killed and wounded, and forty-five hundred prisoners; that of the Confederates, eight hundred and fifty in killed and wounded.

The remnants of the Federal troops retreated in disorder back upon Lexington, from whence, with some fifteen hundred troops stationed there, they rapidly fell back toward the Ohio river. Lexington and entire Kentucky east of Louisville were now abandoned to the control of the Confederate forces. On the 1st of September, the advance of General Smith's army occupied Lexington, soon joined by the remainder, under General Heath, with headquarters there. On the 4th, Morgan's cavalry, having come from Tennessee by way of Glasgow, Liberty, and Danville, reported for duty at Lexington. General Heath, with five thousand men, was sent along the line of the Kentucky Central railroad to a position in the rear of Covington, threatening Cincinnati. The Federals evacuated Paris, Frankfort, and every other guarded point east of the Louisville & Nashville railroad, the scattered forces all hastening toward the Ohio river.

The Federal General George Morgan, with eight thousand troops, was fairly entrapped at Cumberland Gap. His condition seemed almost hopelessly critical. Yet it was one of those occasions that sometimes occur to try the courage and heroism of men. Morgan proved his manhood to be equal to the emergency, and fortune favored him. He got two days the start of General Stevenson, from whom pursuit was expected. Orders had been sent to



GENERAL HUMPHREY MARSHALL.

GENERAL HUMPHREY MARSHALL, a grandson of the Kentucky historian, was born at Frankfort, January 13, 1812, and graduated at West Point, in 1832; after a brief army service, studied law, and located for practice in Louisville, in 1834. In 1846, joined Taylor's army in the Mexican war, as colonel of the First Kentucky cavalry regiment, and distinguished himself in the battle of Buena Vista: returned to his farm and the law in Henry county; in 1849-51-55-57, was elected to Congress; in 1852-54, was minister to China; pursued farming and the law until 1861, when he entered the Confederate army, as brigadier-general, with the command of East Kentucky; resigned his commission in the army in 1863, and was

elected to the Confederate Congress from Kentucky. At the close of the war, after a year at New Orleans, he located and resumed the practice of law in Louisville, from 1866 until his death, March 28, 1872. General Marshall was of a line of ancestors illustrious in State and national history, among whom there was, perhaps, no member of more massive and powerful intellect than he. Horace Greeley said of him, when in Congress, that "his was the greatest mind of that body."

General Humphrey Marshall, then at Mount Sterling in full force, to throw himself on Morgan's front or flank, while John H. Morgan's cavalry harassed him, and together bar his passage, and fasten him in the mountain passes until forced to surrender, or re-enforcements could be sent to capture him. For some reason, General Marshall did not respond to the order. Marshall claimed that no authoritative order was given him, and that he was chafing to go in pursuit of the retreating Federals. General Morgan passed Cumberland Ford, Manchester, Proctor, and Compton, without obstruction. From this point through Hazel Green to Grayson, John H. Morgan's cavalry was in his front, felling trees across the passes, skirmishing with the front, and obstructing in every way, until aid might come from Stevenson in pursuit, or Marshall on the flank. But it never arrived; and the Federal command reached Greenupsburg in sixteen days from the Gap, after a retreat of two hundred miles through the rough mountains of Kentucky, in safety. The failure to capture was a mischance to the Confederates.

Intense excitement and commotion extended on both sides of the Ohio river, and the Federal authorities began rapidly to fortify, re-enforce, and organize their defensive forces at Louisville and Cincinnati. In a short time, ten thousand soldiers were organized and equipped at each of these points, and the numbers swelled daily. The arrival of General Morgan's escaped army added much strength to the organized defense. A Federal force of eight thousand, assuming the offensive, marched out from Covington to demonstrate on the command of Heath. The latter fell back slowly toward Georgetown. He might easily have captured Cincinnati on his first approach to the rear of Covington, before there was an organized defense of any importance. But General Kirby Smith gave no orders for such attack, for the same reason that he spared no adequate force to intercept and capture General George Morgan. Bragg's main army was soon expected in Kentucky, and the entire force of Kirby Smith, forming its right wing, would be summarily needed in the anticipated decisive struggle with the Federal army, under Buell. The troops could not be spared to capture and hold Cincinnati, or to intercept General George Morgan.

¹ The greatest activity was displayed by the Confederate commands in recruiting men, in collecting army supplies, and in generally strengthening every arm of the service. General Bragg had left Chattanooga with his army, and was pushing on through Sparta, Tennessee, and Glasgow, to intercept Buell, and prevent his falling back on Louisville. On the 14th, Bragg was at Glasgow in full force, while Buell had not yet fully reached Bowling Green. The former moving on to Green river, at the crossing of the Louisville & Nashville railroad, captured the Federal fortifications, and the garrison of four thousand troops, at Munfordsville. His army, fully equal to Buell's in number, now occupied the strongest natural position be-

¹ Duke's History; General Gilbert, in *Brownac*. Official Reports.

tween Bowling Green and Louisville, and lay right across the only easy and convenient military route for the passage of the Federal army to Louisville, its only refuge from destruction.

Never before, in the history of the war, had the cause of the Union been put in such jeopardy. Never were the friends of that cause more abjectly despondent; never before, the friends of the Southern cause more exuberant with hope and joy. News had come of the disastrous defeat of the Union army of the Potomac, under General Pope, at the second battle of Manassas Plains, with a loss of twenty-two thousand killed, wounded, and prisoners; the capture of eleven thousand Federal soldiers at Harper's Ferry, and the advance of General Lee into Maryland, and on the flank of Washington. Already ten thousand of Buell's supports had melted away by the results of Richmond and Munfordville, and the captures by the Confederate cavalry commands, in the department of the Cumberland. Some three thousand new recruits had joined the several Confederate commands, during the two or three weeks from Kirby Smith's entrance into Lexington, to the occupation of Green river heights by Bragg's army; and thousands more were in busy preparation to cast in their fortunes in the same direction. Throughout the country, expectation was on the hourly strain to hear of the great battle, on terms of Bragg's own advantageous choosing; the conviction was all-pervading that Buell would suffer disastrous defeat—probably the annihilation of his whole command. Repeatedly was the sentiment uttered by Union men in those hours of suspense, in hearing of the author: "It is the darkest hour the Union cause has ever yet known!" and on the part of Southern sympathizers, "Lee has driven the enemy out of Virginia, and Bragg is sure to destroy the army of the Cumberland; the independence of the Confederacy is almost won!" To reconcile the coincidences of those phenomenal events that wrought such a miracle of change within the next thirty days, the God of peace and of war, and His mysterious providences, must be taken into the account. Ten thousand re-enforcements and abundant provisions could have met Bragg at Munfordville, for battle in front or flank, from Central Kentucky.

Hourly and impatiently intelligence was awaited at Kirby Smith's headquarters at Lexington. In consternation, then, it was learned about the 21st of September, that General Bragg had abandoned his impregnable stronghold in Buell's front, retreated before his enemy to Bardstown, and given him a clear and undisputed passage to his base at Louisville. The news came with the stunning force of a powerful current from an electric battery. It was at first treated with incredulity and discredit, as an event impossible to sanity. Soon the confirmation followed, and with it an alternation of blank despair to the Confederates, and of buoyant hope to the Union men. This strangest phenomenon of military strategy, of all the strange episodes of the war, was doubtless the most disastrous in its moral, as well as its physical, results, of any other that occurred. The highest subordinate

officials on the Confederate side were dumb and passive, when they dared not censure, and could not extenuate; the soldiers and people everywhere gave vent to imprecations not to be characterized in the phrases of history. All confidence was broken down in the author of a calamity so fatal, so inexcusable. Utter demoralization of hope came over the spirits of the army and people, and the presentiment was well-nigh universal that blunders and disasters would follow the Confederate army of the West, as long as General Bragg remained in chief command. That he would again lose Kentucky, and abandon the territory won by Kirby Smith, to Federal occupation again, was more than a presentiment. Thousands of volunteer recruits who, in the past two weeks had been making their preparations to join the Southern forces, abandoned the idea, to remain at home and care for their families and kindred, under Federal rule restored.

The opportunity of capturing Louisville and Cincinnati, and of making a military front of the Ohio river, had been thrown away; of paralyzing or annihilating Buell's army, lost; and of holding Kentucky, more than put in jeopardy. When Buell reached Louisville on the 25th of September, all was felt to be lost that had been hoped for by this invasion of Kentucky. Bragg had suffered himself to be put upon the defensive, with an all-pervading sense of defeat and disorder oppressing the military and civil authorities.

After Buell established himself at Louisville, at the end of September, the Confederate line extended from Bardstown, on the left, through Frankfort and Lexington, to Mount Sterling, on the right—an admirable line for easy movement of supports by turnpike or railroads, while the base at Bryantsville was as secure as could be made. The force available for the defense of this line was fifty thousand men.

¹On the 1st of October, Buell moved out of Louisville seventy thousand strong. From the direction of Cincinnati and other supporting points, yet not in striking distance, there were twenty thousand more troops, swelling the Federal army of the Cumberland to ninety thousand. Skirmishes and picket fights were of daily occurrence. On the 18th of September, a company of Texas rangers were beaten off at Falmouth by the Home Guards, with several killed and wounded. At Owensboro, on the 19th, the Confederates attacked and defeated the Federals, killing the colonel of their regiment; and, in turn, were attacked and driven out by a body of neighboring Home Guards. A body of Confederate cavalry were beaten off, with a loss of forty men, by Granger's command, at Shepherdsville, and the railroad bridge saved. On the 21st, about one hundred and seventy Home Guard cavalry, under Provost Marshal-Morris, of Lagrange, had a sharp fight with Colonel George M. Jessee's Confederate command, at Newcastle, with several killed and wounded on both sides, and the capture of Morris' forces, with their arms and horses and one piece of artillery. General Duke's detachment of Morgan's cavalry captured a company of Federals at Walton,

¹ Collins' *Annals of Kentucky*; General Gilbert in *Bivouac*. Official statements.

and at Augusta, in an attempt to cross the Ohio river and operate in the rear of Cincinnati, they were fiercely attacked by a body of Home Guards, under Dr. Bradford, who fired from the houses and behind shelter with deadly effect. Some forty Confederates were killed and wounded, and the movement across the Ohio checked. The Union loss was quite severe, and they were forced to surrender only after the burning of two squares of houses to dislodge them.

General Wharton's Confederate cavalry engaged the advance guard of Buell's army at Bardstown, and drove it back on the main body, with loss, on the 4th of October. An exciting hand-to-hand fight took place at Lawrenceburg between Colonel Scott's Confederate and Colonel R. T. Jacob's Federal regiments of cavalry. On the 7th, near Bardstown, the Seventy-eighth Indiana regiment was surprised, captured, and paroled by Confederate troops. These are but a few of similar conflicts occurring almost daily between the shifting scouts and moving bodies of cavalry over the State, apart from the main commands of the two armies.

¹Just as the Federal army was about to leave Louisville for its grand advance, an order came from Washington removing Buell from the chief command and appointing General George H. Thomas to succeed him. Buell had evidently not been a favorite with Halleck and Stanton since the campaign against Forts Henry and Donelson, and even the good fortune that attended his campaigns from Kentucky to Shiloh and return to Louisville, thrice victorious in as many great issues, could not stay the shafts of prejudice from that august and fruitful source of blundering interference. The patriotic and disinterested good sense of General Thomas discerned the mistake and its probable fatal consequences, and he promptly declined the command, with a protest against Buell's removal, which was heeded. Retaining command, the latter sent out a detachment of six thousand men, under General Dumont, through Shelbyville, as a demonstration on Frankfort, and another of like number, under General Sill, through Taylorsville, to deploy in the front of General Kirby Smith at Lawrenceburg, while he marched his main body of fifty-eight thousand, by way of Bardstown and Springfield, to the vicinity of Perryville.

Bragg was completely deceived and bewildered by these movements. Kirby Smith's army was now gathered about Frankfort, Versailles, and Lawrenceburg, having been increased by the arrival of Stevenson with eight thousand troops and Marshall with thirty-five hundred, to over twenty thousand effective men. On the 4th, the empty ceremonies of inaugurating the venerable Richard Hawes provisional governor of Kentucky, as one of the Confederate States, were gone through with at Frankfort as the rear guards of Smith's army retired from the place, and in sight and hearing of Dumont's advancing artillery. So misled was General Bragg into the belief that Buell

¹ Duke's History, p. 263; Collins' Annals of Kentucky; General Gilbert in *Bisonnet*. Official reports.

was marching his main army to attack Kirby Smith at Frankfort or Lawrenceburg that he ordered General Polk, on the 2d, to move his corps from Bardstown, through Bloomfield, toward Frankfort, to strike Buell in the flank and rear. On the 3d, General Polk ventured to disobey, in the following response to Bragg: "A condition of things on my right and left flank has developed, which I shadowed forth to you in my last note, which make compliance with your order eminently inexpedient. I shall, therefore, pursue a different course, assured that when the facts are submitted to you, you will justify my decision." Buell's army was then less than a day's march fronting Bardstown.

¹On the 6th, Bragg ordered Kirby Smith to concentrate at Versailles, and make his headquarters at Harrodsburg, where Polk's corps was soon in camp, made up of Cheatham's and Withers' divisions; in all, some fifteen thousand men. Hardee was near Perryville, with the two divisions of Generals Buckner and R. H. Anderson, probably twelve thousand men. On the morning of the 8th, the corps of Hardee was re-enforced with Cheatham's division, Generals Bragg and Polk having moved up from Harrodsburg at the time. Of the Federal army, there were in front of these, McCook's corps, fourteen thousand strong, made up of Generals Rousseau's division, seven thousand; Jackson's, fifty-five hundred, and Gooding's brigade, fifteen hundred; also in reach, General Gilbert's Third army corps, eleven thousand, made up of Generals Mitchell's Ninth division, Sheridan's Eleventh division, and Schoepff's First division, a total of twenty-five thousand, opposed to which was about sixteen thousand Confederates, in three divisions. Both armies had been preparing for battle since early morning, skirmishing while getting into position.

At half-past twelve in the afternoon, the Federals still delaying for General Thomas L. Crittenden's corps to come up, General Polk began a vigorous attack upon McCook's forces, and soon brought on a general engagement. The battle raged with fierceness and terrible carnage until nightfall along the entire line, with varying results, in the main in favor of the Confederates. The Federals were driven back from one to two miles along the whole line, losing fifteen pieces of artillery and four hundred prisoners, when nightfall put an end to the contest.

For the numbers engaged, the battle of Perryville is recorded as one of the bloodiest and most stubbornly contested of the war. General Bragg being present, in his official report, says: "For the time engaged, this battle was the severest and most desperately contested within my knowledge." General Buell, in his report, says: "This battle will stand conspicuous for its severity in the history of the rebellion." The Federal officials report, in the two corps, their loss at 931 killed, 3,018 wounded, and 397 missing, a total of 4,346. The Confederate losses altogether were 3,396 in the three divisions engaged. Both commanders-in-chief were misled in this battle.

¹ Collins' *Annals of Kentucky*; Duke's *History*; Gilbert in *Bironac*. Official reports

General Buell, with headquarters but a few miles in the rear, failed to hear the roar of the cannon for three hours after the battle began, and was ignorant that the engagement was going on. General Bragg, from failure to keep himself posted of the enemy's movements, though advised by the subordinate generals, again lost the opportunity of concentration, and of signal victory. That confusion and vacillation which seemed to have beset him since his entrance into Kentucky, he yet acted under. The delusion, that the feint of Dumont on Frankfort was the forward movement of Buell's main army, left idly in camp Withers' division, at Harrodsburg, and Kirby Smith's army, at Versailles, thirty thousand men, which he might easily have concentrated with the three divisions at Perryville, and, with an army of near fifty thousand men, beaten the divided corps of the Federal army in succession, and retrieved by a splendid victory mainly what he had lost by the abandonment of the Munfordville route to Buell three weeks before.

Before the morning of the 9th, General Buell was re-enforced by the timely arrival of other detachments of his army, while General Bragg could only re-enforce with Withers' division. The latter chose, therefore, to fall back to Harrodsburg, and concentrate by ordering to that place the army of General Smith. Here the two armies, now in full strength, confronted each other, forty-five thousand Confederates, and fifty-four thousand Federals, after the losses at Perryville. Their lines were but three miles apart, and it was the general belief that General Bragg should, and would, deliver battle to his enemy now, on terms as nearly equal as is usual in the great contests of war. But two days before he had exposed three divisions of his troops to the possibility of being overwhelmed by Buell's whole army. Would he now fight that army with the threefold strength of concentration?

The expectation of a great battle on that day was disappointed. General Bragg ordered his command to fall back upon his base, at Bryantsville, and, gathering up all supplies collected, he continued his march of retreat to Lancaster, where the army was divided, General Smith going out by Richmond and Cumberland Gap, and General Bragg by Crab Orchard, into Tennessee.

In the language of Duke's History of Morgan's Cavalry: "Thus ended a campaign from which so much was expected, and which, had it been successful, would have incalculably benefited the Confederate cause. Able writers have exerted all their skill in apologies for this campaign, but time has developed into a certainty the opinion then instinctively held by so many, that, with the failure to hold Kentucky, the best and last chance to win the war was thrown away. All the subsequent tremendous struggle was but the expiring efforts of a gallant people in what they believed to be a great cause." At the Confederate capital, the Richmond papers spoke of Bragg's Kentucky campaign as "a brilliant blunder, and a magnificent failure, profoundly disappointing and mortifying Southern people, and dashing their fond hopes of liberating Kentucky and Tennessee from the Federal hold."

Heavy skirmishing and cavalry rencounters were of frequent occurrence in the commotions caused by the movements of the two great armies. On the 10th, Colonel John Boyle, with the Ninth Kentucky cavalry, dashed into Harrodsburg and captured some sixteen hundred Confederates in the rear of Bragg's army, many of them the wounded from Perryville. General John H. Morgan, returning upon the route of the Confederate retreat, attacked the Fourth Ohio cavalry, who had occupied Lexington, killing and wounding a number, and capturing three hundred and fifty. The First and Twentieth Kentucky infantry fell upon Kirby Smith's rear guard in Clay county, killed and captured one hundred men, and cut off one hundred and fifty head of cattle. Morgan's cavalry, turning westward and passing in the rear of Buell's army, destroyed long sections of the Louisville & Nashville railroad, and burnt the bridges and trestlework south of Bowling Green.

CHAPTER XXVIII.

(1863-65.)

- Extremes of martial law.
- The decision of Judge L. Watson Andrews.
- Woodward defeated in Christian county.
- Troubles about slaves.
- Buell must occupy Nashville.
- Removed, and General Rosecrans put in command.
- Morgan raids Kentucky again.
- Federal cavalry retaliate.
- Lincoln's emancipation proclamation, January 1, 1863.
- Kentucky Unionists protest.
- Indemnity taxes on Southern sympathizers.
- Democratic convention broken up at Frankfort by Gilbert's bayonets.
- Bayonets intrude upon ballots.
- Enduring loyalty.
- Dissensions in the Union ranks.
- Bragg's army concentrated at Murfreesboro.
- Operations of Morgan's cavalry.
- Federal army moves out to attack
- Great battle of Stone river.
- The disastrous charge of General Breckinridge.
- Kentucky troops engaged.
- General Hanson killed.
- His life.
- General William Preston.
- Bramlette governor.
- Colonel Cluke captures Mount Sterling.
- Pegram and Wolford.
- Former defeated.
- Cluke defeated.
- Other cavalry fights.
- Morgan's great raid through Kentucky, Indiana, and Ohio.
- Defeat by Colonel Moore.
- Cross the Ohio at Brandenburg.
- Raid to Cincinnati.
- On to Buffington island.
- Disasters and surrender.
- Imprisoned in the Ohio penitentiary.
- Captain Hines conceives and executes an escape.
- Morgan's course.
- His new command.
- His last raid into Kentucky.
- Successes and disasters.
- Returns to East Tennessee.
- Betrayed and killed at Greenville, Tennessee, through a revengeful woman.
- Seat of war transferred south.
- Burnside commands in Kentucky.
- General Boyle resigns.
- Kentucky troops enlisted.
- Colored enlistments.
- Colonels Wolford and Jacob arrested for protesting.
- Legislative protest.
- Drafts and substitutes
- Brokerage in men.
- Lawless anarchy.
- "Guerrilla" bands appear.
- Outrages.
- Provocations.
- Confederate soldiers' condition.
- Corruptions and abuses in high official quarters in Kentucky.
- The outrages, murders, and extortions of these equal those of the brigand gangs on either side.
- Legislature votes five million dollars for defense.
- General Burbridge carries out General Sherman's cruel orders.
- Confederates taken out of prison and shot, by General Burbridge's orders.
- Reign of terror brought upon all peaceful citizens.
- Provost-marshal government and elections.

Judge Robertson elected to the Appellate bench.

Women and children arrested.

Resistance to the enlistment of slaves.

Governor Bramlette resists the lawless orders of General Ewing.

President revokes latter.

A commission finds General E. A. Paine and associates at Paducah and Mayfield guilty of flagrant crimes.

Burbridge's "hog order."

Forrest repulsed at Paducah.

General Burbridge leads four thousand men to attack Saltville.

Defeated by General John S. Williams.

Great battles South and East.

Petty strife in Kentucky.

One million men to two hundred thousand.

Lee surrenders.

Other surrenders follow.

Lincoln re-elected.

Coin and currency.

Senator Guthrie.

Kentuckians enlisted.

Committee visit the president and ask the removal of Burbridge.

Thirteenth amendment.

Physical stature of Kentuckians.

Statistical tables.

Endurance and courage on both sides.

First Kentucky brigade statistics.

Losses of life by the war.

Combats in the State of Kentucky.

Kentucky was now again restored to the undisputed sway of martial law. The late experiences of the Confederate invasion gave new pretexts for the exercise of the severest measures of repression, and of punishment for actual or alleged disloyalty. Even General Buell, hitherto so conservative and profoundly regardful of civil law, issued a severe order about this date, and charged General Boyle with its execution, that all persons who had actively abetted the invasion of Kentucky must be arrested, sent to Vicksburg, and forbidden to return. In some communities large assessments were made on citizens of Southern sympathy, under plea of reimbursing Union men for the depredations of guerrillas. In Caseyville district, Union county, thirty-five thousand dollars were thus taken under military license under this plea, and pretended to have been disbursed to injured Union men. Two hundred Southern sympathizers under arrest were, on November 6th, sent north of the Ohio river by Provost-Marshal Dent, on condition that they would remain out of the State.

About this time Judge L. Watson Andrews, of the Mason circuit court, at Maysville, decided the Federal confiscation act unconstitutional, showing an inflexible courage in the support of the civil jurisdictions, and asserting the supremacy of civil law in the midst of the rage of war.

On November 9th, General Ransom's Federal brigade, in a spirited contest near Garrettsburg, Christian county, defeated Colonel Woodward's Confederate force, eight hundred strong.

There had, by this time, been shown quite a disposition, among the Northern officers and troops in Kentucky, to interfere with and disaffect the slaves without regard to the political antecedents of their owners. After frequent complaint, Commandant Boyle issued an order forbidding all officers and privates to interfere or intermeddle with the slaves in any way, or allow fugitive slaves to come into the Union camps. Congressman Charles A. Wickliffe, of Kentucky, in a published card requested Kentuck-

ians who had slaves taken from them by the United States army, to send him a sworn statement of the facts. His object was to have some law passed by which slaves thus wrongfully taken might be peaceably recovered or accounted for. Colonel John H. McHenry, of the Seventeenth Kentucky infantry, was about this time dismissed from the United States service for issuing an order returning slaves to their masters from his camp, in violation of an additional article of war.

¹In the language of a late historian: "This Confederate movement into Kentucky marks the high tide of the civil war, and the retreat of Bragg was a part of the great reflux of that wave. The crushing defeat of Nelson's forces by Kirby Smith came on the same day as the second Confederate victory at Manassas. The abandonment of Munfordville by Bragg, worse than a defeat, came about the same time of the great battle of Antietam. The battle of Perryville completed the dramatic campaigns which crowned the misfortune of the Confederacy. Both the army of the Potomac and the army of the West were compelled to retreat southward into their strongholds. Their armies were checked, but not broken, and the Federal forces were not able to give a crushing pursuit to the forces they had beaten back. Far better than the Northern armies, the troops of the Confederacy withstood the trials of defeat."

It now became imperative that Buell should make a timely march for the protection of Nashville, lest Bragg, penetrating Tennessee with an army yet formidable, might turn upon that important base and inflict a crushing blow in an exposed quarter. But the army which Buell had so successfully led was not destined to return to Nashville under his command. The bolt of wrath which had been forged at Washington was only suspended in its execution for a time. The opportune time had come, and Buell was at last displaced from command of the army, and General Rosecrans, who had recently won some successes near Corinth, Mississippi, was appointed to succeed him. Both armies having reached safe destinations in Tennessee, a period of inaction ensued for the next two months. The only military operation of interest to this history, for the remainder of the year 1862, was another brief raid of Morgan's cavalry into Kentucky. On the 22d of December, he started on this adventure with about three thousand men. The lessons of experience had taught the Federal commanders to leave large garrisons at the important points on this line from Louisville to Nashville. There were more than thrice Morgan's numbers guarding the weak points of this line, but they were principally infantry troops, an arm that is worthless in dealing with such raids.

Slipping adroitly by the larger garrisons of the Federal forces, Morgan managed to capture first Glasgow, and then Elizabethtown, the garrison at the latter place surrendering without any serious struggle; next, though closely pursued, he captured the block-houses protecting the bridges at

¹Shaler's *Kentucky Commonwealths*, p. 317; *Duke's History*.

Maldraugh's hill, where he burned the trestlework and destroyed the track. In this district, he destroyed two thousand two hundred and fifty feet of bridges. Thence he turned toward Bardstown, but finding strong bodies of troops at every important point, he made a swift retreat into Tennessee, without being brought to battle.

While crossing the Rolling Fork of Salt river, Morgan's rear guard and some detachments, amounting to about eight hundred men, were attacked by about seven thousand Federal troops. They should have been captured, but by a brilliant attack on the advancing force, followed by a swift retreat, they were enabled to rejoin their command on the other side of the river.

Morgan's tactics were becoming suggestive to the other side, who began to imitate them. General Carter, with eleven hundred Federal cavalry, set out, on the 25th of December, for a raid through South-west Virginia. Striking the Tennessee & Virginia railroad, he destroyed the great bridge at Blountsville, and captured three hundred Confederate troops there, under Major McDowell. Turning westwardly, he next burned the bridge over the Wataga. This, with the injury done the track of the railroad in other ways, required many weeks to repair the line for transportation.

While this and other Federal cavalry raids of the kind had not the brilliancy and skill of Morgan's, they became very effective in co-operation with the movements of the main armies against the Confederacy. Indeed, it is doubtful if the same number of men on either side, during the war, accomplished nearly as much as the troops of Morgan. His force, after the organization at Knoxville, numbered from eight hundred to thirty-five hundred, and did not average in the time two thousand men. Fed and foraged upon the enemy, it is fairly estimated that this force served to neutralize ten times their numbers on the side of the enemy. The originality of a blending of the advantages of cavalry, infantry, and artillery into a concentrated unit of military power was, perhaps, never before as successfully done. His force was essentially horsed infantry in flying columns, with the support, when needed, of adequate artillery.

With the close of the year, the country was upon the eve of an event which, from the beginning of the war, had been regarded as inevitable by the more positive sentiment of both the Northern and Southern elements in this great contest, but which that class of Union men in the border Southern States had been encouraged to believe and had persuaded themselves would never be among the issues of the war. On the 1st day of January, 1863, President Lincoln issued his emancipation proclamation, which he had announced in a qualified form before, on September 22, 1862: "As a fit and necessary war measure for suppressing the rebellion, I order and declare that all persons held as slaves within the designated States now in rebellion are and henceforward shall be free, and the military and naval authorities will recognize and maintain their freedom." It is true that this proclama-

1 Shaler's *Kentucky Commonwealths*, p. 328.

tion nominally affected the institution of slavery only in the seceded States, and in its terms made an exception of Kentucky, yet the practical effect was to leave the institution a mere wreck in the sea of war in Kentucky. As pointedly said by Shaler, himself a Kentucky Unionist:

1“ This proclamation was felt as a blow by a large part of the Union people of Kentucky. Their view was that the rebels were breaking the Constitution, while the armies to which they were giving their support were endeavoring to maintain that contract. This proclamation was an act that put them, as well as their enemies, in an extra constitutional attitude. They felt that if both sides were to fight outside the Constitution, their position lost the moral and historic value it had at the outset. These difficulties, brought about by the proclamation, were naturally increased by the constant interference of the military with unoffending citizens who were suspected of rebel sympathies. The Union party and its Legislature, tenaciously clinging to the civil law, deprecated this action, and by frequent remonstrances with the Federal authorities, from time to time, abated this evil. These interferences with the civil law took two flagrantly unjust forms—the taxing of so-called rebel sympathizers for the damages done by guerrillas or by the raiding parties of the enemy. It is impossible to devise any system under the pretense of law that brings about more irritating injustice than does this often-tried, but ever-failing, measure. The outrages which the so-called rebel sympathizers were forced to make good were utterly beyond their control. No American people have ever been subjected to as iniquitous oppression as this system brought about. The other form of the evil arose from the interference of the military powers at the elections. This was even more unnecessary and more irritating to the lawful Union men than the confiscation of property. For centuries they and their fathers had guarded the freedom of the elections as a sacred heritage. There was no time since the overthrow of neutrality that the Union men did not have a majority of two-thirds of the voters; therefore, there was no need of interference.

“ One of the most flagrant cases of interference with purely political action, but only one of very many, was that which took place in Frankfort. A convention of the so-called Democratic party, composed of two hundred delegates from one-third of the counties, met to nominate a State ticket. They represented that portion of the people who were mostly in sympathy with the rebellion, though they honestly denied all thought of secession. They were refused the use of the legislative hall for their meetings by the Union Legislature, and were denounced by the Union papers as secessionists. Acting upon this public opinion, Colonel Gilbert proceeded to break up the convention by military force, ordering the delegates to leave the city, and to refrain from all ‘seditious and noisy conversation.’ This high-handed outrage had a great effect upon public opinion in Kentucky. The Senate passed a series of resolutions, on motion of Hon. Charles T.

Worthington, to the effect that such interference was not desired by the Union men, and that it 'was dangerous in its tendencies, and should not pass unrebuked.' In the August election, there was the same interference on the part of the military with the election. This last outrage had not even the palliation of effectiveness. Only a few polling places were under the control of the troops. It exasperated the Union men without restraining the Confederate sympathizers. Thousands of Union men who had given their property and their blood to the cause of the Constitution lost heart and their interest in the struggle. They had supposed that they were fighting, not for the domination of armies, but for the maintenance of law, for the welfare of the country, and not for the supremacy of a political party that appeared willing to destroy the Commonwealth if it stood in the way of its purposes.

"So far from condemning this defection of spirit which came upon the people from the overthrow of their laws and subordination of their courts to the military arm, we should rather praise the independence of mind of men who, in the midst of battle, could keep in their hearts this reverence for the foundations of their political life."

These views from an intelligent source will strike one as dispassionate and just, yet in the emergencies which were born of a gigantic civil strife over the issues of national life and death, and on the disputed battle-ground of the two contending sections, it would be an anomaly in history if there were no instances of encroachments upon the constitutions and the laws, both Federal and State—not that there need be or should be, but such a war must stir the deepest passions of men, and of many men, who will be regardless and reckless of the restraints of constitutions and law when these stand in the way of the accomplishment of their purposes and desires. As will be seen further on, this fully-developed phase of the war had the effect more and more to estrange and divide the great Union majority element in the State, which hitherto had unitedly supported the Federal cause; and this division, in time, assumed more decidedly the form of antagonism between the civil authorities of the State and the military command of the department of the Ohio, of which Kentucky was a part.

In the last days of December, the army of the Cumberland, having been massed at Nashville under its new commander, General Rosecrans, was put in readiness to meet again the army of General Bragg, then concentrated at Murfreesboro, Tennessee. This important episode of the war does not legitimately claim mention in Kentucky history, as it pertains to a contest upon the soil of another State, except for the numbers and distinction of Kentucky soldiers in both armies who took part in it. The cavalry forces of Morgan and of Forrest for two weeks had operated in the country around Nashville and on the lines of railroads diverging from that center, and as far out on the Louisville & Nashville railroad as Elizabethtown and Muldraugh's Hill, Kentucky, harassing the enemy, destroying his supplies, and cutting off his means of transportation. For the same length of time, General John C.

Breckinridge had anticipated the arrival of Bragg's army and held Murfreesboro with his division of four thousand men just from his campaign in the South-west. On December 31st, the Federal army, forty-five thousand strong, joined the issue of battle with that of General Bragg, numbering thirty-five thousand present. On that day, the Federal army was driven back, with heavy loss, from all its positions from two to three miles, leaving thirty-one pieces of artillery and the dead and wounded, with nearly four thousand prisoners, in the enemy's hands. The next day, these relative positions were held by the two armies, with but little further fighting. On January 2d, the third day of battle, General Breckinridge, having been ordered with his division to assault a strongly fortified position of the enemy, executed one of the bravest and most brilliant charges recorded in the history of the war. The Federal forces were dislodged with the bayonet and driven in confusion and rout, with great slaughter. In following the retreating foe, the victorious troops of the command were drawn into range of over fifty pieces of artillery, which poured a deadly fire of shot and shell into their ranks. Breckinridge was compelled to withdraw his forces from this murderous fire, which threatened them with annihilation. This he did in good order. The armies remained in position during the fourth day, doing but little fighting. Re-enforcements having reached the Federals, General Bragg quietly withdrew his army, taking with him his prisoners, captured guns, and stores. The Federal loss was about nine thousand killed and wounded, and four thousand missing. Of the Kentucky troops in the Federal army, the First, Second, Third, Fifth, Sixth, Eighth, Ninth, Eleventh, Fifteenth, and Twenty-third regiments lost nine hundred and eleven men. The Confederate loss in killed and wounded was nearly nine thousand, of which Breckinridge's division lost twenty-one hundred and forty. Among those most lamented who fell in the ranks of this division was the brave and gallant General Hanson, whose death cast a gloom over the command with which he had most gallantly fought.

Roger W. Hanson was born at Winchester, Kentucky, August 27, 1827. His early life was that of the typical Kentucky boy of that day, marked with strong muscular activity, of impatient and imperious will, and of exuberant flow of spirits, a combination of energies capable of bestowing great force of character, but very dangerous to a youth surrounded with an abundance of temptations and opportunities. At the age of twenty, he was among the first volunteers



GENERAL ROGER W. HANSON.

for the Mexican war, and went out as first lieutenant in the company of Captain John S. Williams, which so distinguished its record in the storming of Cerro Gordo. At the close of this service, he returned to Winchester, and very soon after was wounded in the hips, in a duel with a gentleman, which gave him a limping gait for life. He devoted himself in this year to the study of law, but the California gold fever having broken out, he was one of the thousands who left home to seek sudden fortune in the modern Ophir, which had opened its wondrous treasures to the adventure and enterprise of the world. Disappointed, he returned to his Kentucky home and entered upon the practice of law. Some time after, he moved to Lexington. In 1856, he was one of the two electors-at-large on the Fillmore ticket. His forensic powers in this campaign gave him great reputation and prestige, and the next year he became the American candidate for Congress, opposed by James B. Clay, the Democratic nominee, who proved also to possess rare powers of elocution and logic. Hanson was defeated and went back to his practice. In 1859-'60, he lent a powerful aid in the canvass of Joshua F. Bell for governor, and for Bell and Everett, the presidential Whig candidates. When the crisis of disunion came, on the election of Mr. Lincoln, his convictions and sentiments were for the Union, and his voice was heard in behalf of its preservation—and against secession. Next, he leaned to the device of neutrality. Like myriads of others, his sympathies were Southern, and as he witnessed the demonstrations for coercion, and the wide and dangerous latitude assumed in measures therefor, he was at last induced to give his services, his heart, and finally his life for the cause of the South. He entered the Confederate service, and was made colonel of the Second Kentucky regiment, and afterward promoted to be brigadier-general of the First Kentucky brigade. History has followed his fortunes, with his command, from Bowling Green to Donelson, and from the South-west to Murfreesboro, where he gave up his life in the midst of a strife and carnage of battle, the fiercest and bloodiest of all civil wars.

General William Preston, distinguished in the political, diplomatic, and military history of the country, led another of the three brigades of Breckinridge's division in this murderous charge into the jaws of death. By seniority, he was second in command to General Breckinridge, and bravely carried forward his men in front of the fire of twenty pieces of artillery. Several of his staff were killed and wounded and his own clothing pierced. One of his regiments faltering, General Preston seized their colors and rode in their front toward the enemy and rallied them again. And not less brave and skillful were his displays of heroic generalship on the field of Chickamauga, where he commanded a division composed of three brigades, under Gracie, Trigg, and Kelly, respectively. Of the final assault on General Thomas' strong position, the correspondent of the *London Times* wrote: "General Preston's bearing on the slope of Missionary Ridge, under the

setting sun of the 20th of September, will, if ever the American war becomes really historical, rank with that of Dessaix recovering the lost battle of Marengo, or with any other famous deeds of arms ever witnessed on the earth. Slowly, and under a withering fire, one of Preston's brigades, commanded by Gracie, and fighting its first pitched battle, deployed into line. As they ascended the hill, they reeled and staggered under the iron tempest which rent them, and General Gracie, turning to General Preston, exclaimed in agony: 'We are cut to pieces!' Calm as though he had seen a hundred fights, General Preston replied: 'You have not suffered half such a loss as my brigade sustained at Murfreesboro. Tell your men to fix bayonets, and take them at it again.' The order was given, and nobly was it obeyed. Right up and over the slope they went; their comrades swept upon the Federal flank. Hindman and Kershaw gallantly did their part. The Confederate right again advanced and drove the Federals from their works. The whole of Missionary Ridge was gained, and the Federals, in one long, confused, and huddled mass, burst down the ridge, and along every road and by-path they could find, and never stopped until they reached Chattanooga. One trophy of the desperate strife was shown by General Gracie's men—the flag of an Alabama regiment, pierced by eighty-three bullet-holes and the staff severed at three places, but carried to the last by the same color-sergeant."

Not long after the battle of Chickamauga, Maximilian having entered Mexico and occupied the throne of the improvised empire, supported by the armies of Napoleon III., General Preston was appointed minister to that Government by President Davis, in the interests of the Confederacy. Important matters of diplomacy carried him to England and France to confer with the Confederate ministers, Mason and Slidell, prolonging his absence a year. Returning, he entered Texas by way of Matamoras, and, before crossing the Mississippi, learned of Lee's surrender. General Preston's history in Congress, and as minister to Spain, as well as other important stations, is well known. Of magnificent personal appearance, of courtly bearing and address, and of unsurpassed elegance of conversational powers, General Preston was one of the most impressive men of the country. In general lore and information, in chaste and classic elocution, and in the plausible force of logic, he ranked among the first men of the nation.



GENERAL BEN HARDIN HELM.

On the ensanguined field of Chickamauga fell General Ben Hardin Helm, another of the distinguished and favorite sons of Kentucky, bravely leading the Kentucky brigade in Breckinridge's division. Mortally wounded in the front and midst of the battle, as it most fiercely raged, he breathed out his life in martyrdom to the cause he had espoused, at midnight of the same day. Promoted for gallantry and efficiency since the beginning of the war to a brigadier commission, he had, shortly before the concentration for Chickamauga, held independent commands of the East division of the Gulf department, and afterward of the post of Chattanooga. The death of few Kentuckians was more lamented, or so sorely felt to the cause of his preference.

At the State election in 1863, Thomas E. Bramlette was elected governor, and Colonel R. T. Jacob lieutenant-governor, Joshua F. Bell having declined the nomination at the State convention previously held. Both these gentlemen had supported the Union as commanders of regiments.

Colonel Cluke's Confederate cavalry, detached from Morgan's command, ventured a raid through Kentucky in March, and on the 21st, after a desperate fight of four hours, captured Mount Sterling, with four hundred and twenty-eight prisoners, two hundred and twenty wagons laden with valuable military stores, five hundred mules, and nearly one thousand stand of arms. On the 24th, another body of Confederate cavalry, under General Pegram, occupied Danville. Colonel Wolford's cavalry resisted their advance all day, falling back toward Lexington. There was a loss of thirty or forty men on each side. On the same day, General Humphrey Marshall's forces made an attack upon General White's Federal troops, ten miles from Louisa, and the latter fell back on the main body. On the 30th, Colonel Charles J. Walker's Tenth Kentucky cavalry defeated Colonel Cluke's Confederate cavalry, six miles east of Mount Sterling, and drove them beyond Licking river. On the same day, General Gilmore, with twelve hundred Federal cavalry, including Wolford's regiment, defeated Pegram's Confederate cavalry, causing a loss to them of two hundred and fifty in killed, wounded, and prisoners; the Federal loss was about sixty. On May 11th, a spirited engagement in Wayne county between Colonel Jacob's Ninth Kentucky cavalry and eight hundred of General Morgan's Confederate cavalry, resulted in the Federals falling back across Greasy creek, with a loss of over forty men, the loss of the enemy being about thirty.

About the middle of June, Colonel Peter Everett, with a battalion of Confederate cavalry, occupied Maysville, capturing considerable arms and stores. After several skirmishes in Mason, Bath, and Fleming counties, he was defeated near Morehead, Kentucky, by a regiment of Kentucky cavalry. This desultory fighting seems to have been the main experience of the war in Kentucky for the first half of the year 1863.

¹In the month of June, General Morgan was gathering his clans and

preparing for the most formidable ride in the rear of the Federal lines which had yet been known to the military operations of the West. The Fifth Kentucky regiment, under Colonel D. Howard Smith, and the Sixth Kentucky, under Colonel Warren Grigsby, had been added to Morgan's command, which now consisted of two brigades. The first was composed of the Second, Fifth, Sixth, and Ninth Kentucky, and Ninth Tennessee, and the Second brigade of the Third, Eighth, Eleventh, and Tenth Kentucky, making a total force of about twenty-five hundred men. The expedition, conceived and mapped out, intended an extensive raid through Kentucky and across the Ohio river through Indiana and Ohio, for the purpose of diverting Federal re-enforcements to the army on the Potomac, and to General Rosecrans, in Tennessee, to break up the lines of transportation, and to capture the Federal troops detached to guard these lines in Kentucky. On the 2d of July, this force crossed the Cumberland river, near Burksville. Twelve miles above, at Marrowbone, Morgan was confronted by a large body of Federal cavalry, under General Judah; these were defeated and driven back, until a temporary check was given to Morgan by a battery of artillery. Moving on through Columbia, on the Lebanon pike, the Confederates were resisted by Colonel Moore, of the Twenty-fifth Michigan infantry, entrenched on a bluff in a bend of Green River. On a summons to surrender, Colonel Moore answered, that "The 4th of July was a bad day for surrenders, and he would rather not." The regiment of Colonel Chenault imprudently assaulted this strong position, and was several times repulsed. The Confederates finally withdrew, with a loss of nearly one hundred men, among whom were Colonel Chenault and Major Brent, killed, and passed on toward Lebanon. This place was defended by three regiments, including Colonel Hanson's Twentieth Kentucky. After a hotly contested fight, the Federals were defeated and captured. Passing on through Bardstown and Garnettsville, in Meade county, the entire force crossed the Ohio river at Brandenburg, Kentucky. Previous to this, a detachment, under the skillful leadership of Captain Thomas H. Hines, had explored this portion of Indiana, and reported to Morgan that the way was clear as far out as Seymour. Yet some resistance was offered at the crossing of his forces by irregular troops hastily gathered, aided by a gunboat. These were driven off and dispersed. Passing on to Corydon and Salem, they reached Vienna, on the Indianapolis & Jeffersonville railroad. Here Ellsworth, Morgan's telegraph operator, took possession of the office at the station, and put himself in communication with Louisville and Indianapolis, and learned that the entire country around him was thoroughly aroused and in consternation. Orders had been issued to the militia to fell timber and blockade all the roads likely to be traveled, to arm and organize, and to fall in with the troops and resist the movements of Morgan in every way possible. Morgan moved on eastward to Paris, where Colonel Smith was detached to make a feint against Madison, in order to hold troops there

who might prove troublesome if they came out. Moving around Vernon, where a strong Federal force was stationed, and through Versailles and Harrison, he marched on directly to the rear of Cincinnati. By this time the entire population of Indiana, Ohio, and North Kentucky had become intensely excited over the feats of the impudent and daring raider. Troops were being rapidly concentrated around him on every side, by the thousands. All the gunboats or naval forces on the river were put in active motion; troops were transported by water and rail to points in his front, to intercept his advance, while the guards at all the crossings of the river were heavily strengthened. Passing around Cincinnati in force, Morgan directed his course eastward, through Batavia and Williamsburg, to Picketon, on Scioto river, opposed and harassed more and more each day. From the Scioto, his final march around through Jackson and Binton brought him to the Ohio river again at Portland, above the mouth of the Great Kanawha, in West Virginia. By this time the skirmishing and fighting with the troops, and overcoming obstacles thrown in the way by the militia, were almost continuous. Unable yet to effect a crossing of the river, worn down with fatigue and fighting, this command divided; and much demoralized with the gloomy prospect of escape across the river, Morgan moved up to Pomeroy, above Buffington island, for a last desperate effort to escape to the south bank of the Ohio. Here, however, he was vigorously attacked by superior forces of infantry and cavalry, supported by gunboats, which had arrived in time to participate. All hope of escape had now apparently vanished. After fighting and maneuvering to the last point of desperation, Morgan surrendered with the greater portion of his command. About one-third of the command at different points along the Ohio, and near Buffington island, had managed to effect their escape across the river in detachments. Four companies, under Captain Kirkpatrick, passed safely through West Virginia, and escaped to the vicinity of Knoxville. The prisoners taken were carried back to Cincinnati. Morgan and his officers, including Colonels Duke, Ward, Smith, Morgan, and Hoffman, Majors Elliott and Bullock, and Captains Hines and Thorpe, were incarcerated in the penitentiary of Ohio, at Columbus, by order of General Burnside, with the instruction to Governor Todd that they be subjected to the usual prison discipline.

This imprisonment continued until the latter part of November, when the ingenuity and enterprise of Captain Hines conceived and executed a plan of escape by excavating a passage-way through the floors and under the walls of the prison. On the 28th of November, seven of the captives—General Morgan and Captains Thomas H. Hines, Jacob C. Bennett, Ralph Sheldon, James D. Hockersmith, G. S. McGee, and Samuel B. Taylor—passed safely through the subterranean passage-way and effected their escape. Four days after, Taylor and Sheldon were recaptured near Louisville. Morgan and Hines boarded a train for Cincinnati, crossed in a skiff to Ludlow in Kentucky; thence, by easy stages, they passed as disguised travel-

ers through Owen, Henry, Shelby, Nelson, Green, and Cumberland counties safely into Tennessee.

This raid of Morgan's is said to have been undertaken against the counsel and views of General Bragg, who would have confined Morgan's operations to Kentucky. Though Morgan visited Richmond, he was received with apparent coldness and indifference by the president of the Confederacy. It was not until the spring of 1864 that he was again given a command, in South-western Virginia. This command was made up of two cavalry brigades, under General Cosby and Colonel Henry S. Giltner and some militia reserves of that region. The material of his command was good, but Morgan seemed, since the breaking up of his old command, to have lost much of his prestige and brilliant fortune. In June, 1864, he undertook his last raid into Kentucky with a command of three brigades, making a total of twenty-five hundred men, under Colonels Giltner, Alston, and D. Howard Smith. Passing through Pound Gap, he pushed on to Mount Sterling, which place was captured, with nearly four hundred prisoners and stores. Dividing his forces into several detachments, a portion of his command, under Colonel Giltner, was suddenly surprised and attacked by General Burbridge, who had made an extraordinary march of ninety miles in thirty hours, with a largely-superior force. A desperate fight ensued, in which the Confederates lost over three hundred in killed, wounded, and captured. Morgan had moved upon and captured Lexington, with large military stores, on the 10th. From thence to Georgetown, he moved upon Cynthiana, with his forces again united, where he captured the garrison and entire command of General Hobson, together nearly two thousand men. His following, now weakened by losses and by details to guard prisoners and wagon trains and to destroy the railroad, was again attacked by General Burbridge, whose command had been re-enforced to near four thousand men. The fighting was disastrous, yet in the vicinity of Cynthiana. The Confederates were defeated, with heavy losses, and Morgan, gathering up his broken forces, retreated through Flemingsburg and West Liberty to Abingdon, Virginia.

Operating with his command in East Tennessee, on the 3d of September, 1864, his troops lay encamped around Greenville, ready to move on Bull's Gap the next day. Morgan made his headquarters at Mrs. Williams' in Greenville. A daughter-in-law, a younger Mrs. Williams, of intense Union sympathies, and enraged at Morgan for some alleged harsh treatment to a Federal officer, mounted her horse and rode in the direction of Bull's Gap, at the first rumors of the approach of the Confederate forces, to give the alarm to the enemy. Before midnight, the Federal force moved out to make a surprise attack upon Morgan at Greenville, doubtless directed by the information given. About daylight, one hundred Federal cavalry dashed into Greenville and surrounded the headquarters of General Morgan and staff. Finding escape hopeless, General Morgan passed into the garden of

Mrs. Williams, where he was discovered by his enemy and shot to death. Thus, on the 4th of September, in this little village of East Tennessee, fell the great partisan leader, whose genius and daring had left him a name conspicuous among the remarkable characters produced in this period.

The events occurring for the remainder of the year 1863 were of much the same nature as those we have before described in both the civil and military affairs within the State. The military operations for the year seem to have been transferred to the territory of Southern States beyond the borders of Kentucky. Large calls for new volunteers to recruit the Federal armies upon the Potomac and on the Cumberland were made, of which Kentucky furnished her quota, besides furnishing many more for the support of the Union authorities in the State. General Burnside, commanding this department, on July 31st, declared martial law over the State, "for the purpose only of protecting the rights of loyal citizens and *the freedom of suffrage*, and preventing any disloyal person from voting at the election on Monday, August the 3d."

Under the military surveillance of the election, the Union candidates were all elected with little opposition, excepting the three counties of Boone, Carroll, and Trimble. In January, General Boyle having resigned was relieved as military commandant, and General Ammen succeeded him. On February the 1st, President Lincoln, by proclamation, ordered a draft on March 10th, for five hundred thousand men, to serve three years or during the war. Adjutant-General Finnell's report at this time showed that Kentucky had already sent in the United States service 35,760 infantry, 15,362 cavalry, and 823 artillerymen, besides 2,957 sixty-days' men, a total of 54,902 men. On February the 29th, Provost-Marshal General James B. Fry ordered the enrollment without delay of all colored males of military age, in Kentucky. The enrollment of colored troops was denounced by some of the most active and leading Federal officers in Kentucky, among whom were Colonel Frank Wolford and Lieutenant-Governor Jacob. For language used in condemnation of this policy, Colonel Wolford was arrested; and afterward was dishonorably dismissed from the United States military service, for speaking disrespectfully of the president, and for disloyalty; but in June, was commissioned by Governor Bramlette to raise a regiment of men. Governor Bramlette, by proclamation, recommended the people to submit quietly to the negro enrollment; and General Burbridge, now in military command, issued a general order for their enlistment, to be sent to camps of instruction and drill outside of the State.

On February the 5th, the Legislature passed a resolution of protest against the enlistment of Kentucky negroes, and requested the president to remove the camps of such soldiers from the limits of the State. These were but expressions of a sentiment, the instinctive outgrowth of the relation of the negro in slavery, of the property rights in him, and of the prejudices against his uses in any position of equality with the white race. But this

opposition of a prejudiced sentiment gradually gave way with the familiarity of the practice of such enlistments, and the people became reconciled, or passively submissive, to this expediency of the Government; and other circumstances made this usage more tolerable to the people of Kentucky. The increased demands and calls of the Federal Government for new levies of troops, to recruit and strengthen the armies in the field, had exhausted the ardor and resources of the volunteer element, and compelled the Government to the alternative of decimating drafts. As by lot, many white citizens of means were among the drafted, who were unwilling or unprepared to enter upon a soldier's life.

A great demand sprang up for *substitutes*, which were allowed and accepted by the Government. These substitutes came now in great demand, at an appreciable market value, in every part of the State. From seven hundred to fifteen hundred dollars were offered and paid by citizens upon whom the lot of draft had fallen, according to the demand and supply of the community. Quite a brokerage speculation sprang up among the horde of mercenary men who swarmed out of the ranks of citizenship and of official and military ranks to seize upon the thousand opportunities that a civil war affords of speculative gain. This dealing in substitutes, a sudden source of profit, was largely carried on by provost-marshals or some favored second who could control this singular traffic in human bodies. At this time, the negro was still the slave property of his master in Kentucky, as the emancipation proclamation did not apply to this State. As the destruction of the institution seemed inevitable and near at hand, and as the slaves were unmerchantable otherwise, many owners seized upon the opportunity to convert this species of property into money, and bargained with the recruiting authorities, conceding a good percentage of the sale money. But few masters were distinctively inclined to thus dispose of their slaves, for whom they entertained humane and kindly feelings of attachment; but the new policy of enlisting negroes, so captivating to the African a lifetime in bondage, was rapidly sweeping from the country the negro males capable of military service. Their owners felt that such slaves would soon desert them under the irresistible influences of the recruiting agencies, who would transfer them to the ranks of the Union army.

In the earliest days of 1864, the natural fruitage of protracted civil war became more cruelly and distressingly manifest than at any previous time. So intensely and fiercely were the passions of men inflamed by constant criminations and recriminations, by daily injuries and retaliations, and by tyrannous exactions and annoyances, that even men in authority of good intentions and of ordinary humane impulses were betrayed into measures of injustice and wrong which themselves would not seek to justify on the return of sober reason. But far worse than all for the peace and safety and good order of the people, there began to appear actively in the field organized bands of armed, mounted "guerrillas," infesting and raiding the State in many directions.

The members of these bands of raiders were mainly men who had formerly given their allegiance to the Confederate service ; but, under different pretext and from different causes, had abandoned that service and defied the authority of the Government, and lent themselves to the lives of marauders and freebooters. Apparently reckless of all responsibility to the laws of God or man, they gave themselves to an unrestrained license of revengeful murder, of bold and daring robbery, and of deeds of violence and outrage, which were without the pale of the laws of civilized warfare. Men in Federal uniforms, whether paroled and unarmed prisoners, sick and wounded in hospitals, or with or without means of defense, were massacred in cold blood wherever opportunity offered. Banks, railroad trains, public depositories and stores were robbed, and outrages marked everywhere the frequent paths of these flying troopers, who scudded from one retreat to another like phantom scourges. These bands were made up of a strange medley of characters. Here, one had become a desperado, devoting his life to revenge for an outrage by some military enemy upon mother or wife or sister. Another, in fierce wrath, had declared undying war for the wanton murder, by armed violence, of a father or brother. Yet another, because his house and property had vanished in smoke and ashes in the destroying track of an opposing army, had sworn to reimburse or revenge himself on guilty or innocent. These cruel wrongs are but the incidents of war, which even the best men in authority are unable to avert ; so this outgrowth of desperate character is the exceptional result of war, which good men and good government can not repress or be responsible for.

But the more fruitful source and cause for the appearance at this time of this most disturbing and destructive element of lawlessness and anarchy is graphically set forth by a recent historian in the following language : "Imagine the situation in which the Confederate soldier was placed. Almost destitute of hope that the cause for which he fought would triumph, and fighting on from instinctive, obstinate pride, no longer receiving from the people the sympathy, hospitality, and hearty encouragement once accorded to him ; almost compelled for comfort, if not for existence, to practice oppression and wrong upon his own countrymen, is it surprising that he became wild and lawless, that he adopted a rude creed, in which strict conformity to military regulations and a nice obedience to general orders held not very prominent places ? This condition obtained in a far greater degree with the cavalry employed in the 'outpost' departments than with the infantry or the soldiery of the large armies. There is little temptation and no necessity or excuse for it among troops that are well fed, regularly paid in good money, and provided with comfortable clothing, blankets, and shoes in the cold winter ; but troops whose rations are few and scanty, who flutter with rags and wear ventilating shoes which suck in the cold air, who sleep at night under a blanket which keeps the saddle from a sore-backed

horse in the daytime, who are paid, if paid at all, with waste paper, who have become hardened to the licentious practices of a cruel warfare—such troops will be frequently tempted to violate the moral code. Many Confederate cavalymen so situated left their commands altogether and became guerrillas, salving their consciences with the thought that the desertion was not to the enemy. These men, leading a comparatively luxurious life, and receiving from some people a mistaken and foolish admiration, attracted to the same career young men who would never have quitted their colors and their duties.”

The methods and measures required to be executed in the progress of the war, and the constantly-increasing tendency to abusive military lawlessness, on the one hand, and to rebellious defiance, on the other, made the duties and responsibilities of commandant in Kentucky exceedingly unpleasant to a man of a high sense of honor. This position becoming distasteful, General Boyle had resigned it, unfortunately for the people, only to be succeeded by men less worthy and scrupulous, whose corrupt abuse of power inaugurated a reign of spoliation, of civil violence, and of terror, as reprehensible in morals as were the doings of the guerrillas.

¹ Shaler has so ably and pertinently, and so dispassionately, treated the two sides of the partisan history of military events in Kentucky, in the last year of the war, that we venture to quote him freely here:

“The desperation to which the people were brought by the system of guerrilla raids can hardly be described. In the year 1864, there was not a county in the State that was exempt from their ravages. The condition of the Commonwealth reminds the historical student of that which came with the thirty-years’ war in Germany, and with the latter stages of the war between king and Parliament in England. It is the normal condition when a country is harried by the discords of a civil war, and especially when there are no longer large armies in the field.

“On the 4th of January, 1864, Governor Bramlette, late a Federal officer, who, at the outset of his political life, was opposed to such summary and unwarranted action, took the singular responsibility of ordering the arrest of the Confederate sympathizers, to be held as hostages for the return of all persons captured and detained by guerrillas. Great as was the need of protection from these freebooters, this proclamation was a serious transgression of the laws which the governor was sworn to maintain, and as such met the condemnation of a great part of the Union men. Afterward, the Legislature endeavored to secure the suppression of this evil by providing more numerous and more effective troops to be used for State defense. This Legislature voted the large sum of five million dollars for the purpose of paying for the adequate internal defense of the State.

“On July 16th, General Burbridge, under order of General Sherman, commanding the department, issued a sanguinary order of reprisals, requiring

¹ Shaler's *Kentucky Commonwealth*, p. 345.

that whenever a citizen was killed by guerrillas, four prisoners chosen from this class of marauders were to be taken to the place where the deed was done, and in retaliation shot to death. The difficulty was that it was impossible to determine among a lot of prisoners who belonged to a properly-commissioned command, and who were simply brigands. Under the order, many executions took place, some of men who probably were to be classed as Confederate soldiers. The brutal violence of this plan made it extremely distasteful to all fair-minded people. It was carried out without even the semblance of law given by the proceedings of a court-martial. Nor had it the sorry merit of success. It merely gave an additional bitterness to a contest that was becoming a reproach to the name of the race."

Our space permits but brief mention of a few of the bloody executions and incidents which followed the issuance of General Burbridge's order.

¹In July, two rebel prisoners were taken from Louisville to Henderson and shot to death, in retaliation for wounding of Mr. Rankin. Eighteen thousand dollars were collected from his Southern neighbors for indemnity, not a dollar of which Rankin would receive.

Two other prisoners were similarly sent to Russellville, to be shot on the spot where Mr. Porter died from wounds received in defending himself from guerrillas, on July 28th.

William Long, William Tythe, William Darbro, and R. W. Yates, four prisoners, were brought from Lexington to Pleasureville and shot to death, in retaliation for the alleged killing of colored men in another part of the county. The bodies of the prisoners shot were left lying unburied for a day, when they were taken by neighbors and interred in the cemetery at Eminence.

On the 15th, George Wainscott, and William and John Lingenfelter were shot at Williamstown, on account of the killing of Joel Skirvin and Andrew Simpson by guerrillas.

Richmond Berry and May Hamilton were similarly executed at Bloomfield, in retaliation for the killing of J. R. Jones.

J. Bloom and W. B. McClasshan were taken from Louisville and shot at Franklin, on the 20th, in retaliation for some killing done by guerrillas.

In retaliation for the shooting by Captain Sue Munday's guerrillas of a Federal soldier, near Jeffersontown, Kentucky, W. Lilly, S. Hatley, M. Briscoe, and Captain L. D. Buckner, were ordered to be taken by Captain Hackett, of the Twenty-sixth Kentucky, and shot to death on the spot.

Cheney and Jones were taken from the military prison, at Louisville, and shot at Munfordville, Kentucky, in retaliation for the killing, by guerrillas, of J. M. Morry, of the Thirteenth Kentucky infantry.

James Hopkins, J. W. Sipple, and Sam Stagdale, were similarly shot near Bloomfield, for the killing of two negroes by Sue Munday's men, with which they had nothing to do.

¹Collins' Annals of Kentucky.

McGee and Ferguson were taken out of the prison at Lexington, and hung, by order of Burbridge.

W. C. Martin, W. B. Dunn, J. Edmonson, J. M. Jones, W. L. Robinson, J. Tomlinson, A. V. Tudor, and S. Turley, were taken from Louisville prison to Munfordville, to be shot to death in similar manner.

Six confederates were shot to death by order of Burbridge, at Osceola, Green county, in retaliation for the killing of two Union men by others.

On the 4th of September, Frank M. Holmes and three other prisoners were shot at Brandenburg, for the killing of Mr. Henry, near that place, by guerrillas.

Four other prisoners were similarly shot at Frankfort, four at Midway, and others elsewhere, for similar reasons.

As but rarely a real guerrilla was taken alive and reached the door of a prison, the unfortunate men thus ruthlessly borne out and massacred in cold blood, without trial or investigation before any sort of tribunal, were mainly prisoners of war, and entitled to the considerations of such. The summary executions were wanton murders, and without palliation. The effect of these official crimes, together with the spoiliations, robberies, and tyrannies of the same men in authority, brought the perpetrators, in their characters and deeds, upon the same moral level with the guerrillas, on the other side. Between the two, no citizen, of Federal or Confederate sympathy, felt any longer safely protected in life, in liberty of action, or in property. The terrors of apprehension, and the incertitude of anarchy, gloomily hung upon the spirits of all. The great mass of the Union citizenship, of pure heart and intent, with indignant protest, deplored the disgrace brought upon their cause; while their neighbors of opposing sentiment repudiated the murderous and thieving depredations done by the guerrilla bands, and suffered in submission. We quote again from Shaler:

1 "In the August election, the interference of the militia with the polling was even more serious than in the previous year. In the election period an extensive series of military arrests were begun, designed to overawe those who were disposed to criticise the action of the military commanders. This system of provost-marshal government so disgusted the people that a majority of them, though retaining their loyalty, could no longer be trusted to vote for the candidates approved, and almost nominated, by the Federal commanders. Fortunately, the election of the year was not of a general character, or the result would have given encouragement to the rebellion, by showing that the Union men were now divided into two distinct divisions, the smaller part made up of those who were willing to go to any extremity in their toleration of the arbitrary acts of a provost-marshal system, that gave effect to the oppressive and often brutal humor of the courts of war; and another larger part who, believing that the immediate danger from the armed enemy was over, were disposed to give their principal attention to

1 Shaler's Kentucky Commonwealth p. 246.

the men who were undermining the foundations of civil government within the Commonwealth.

"The only office of importance that was to be filled at the August election of 1864 was that of judge of the Court of Appeals for the Third district. Alvin Duvall was a candidate for re-election; his course as a jurist was satisfactory to a large part of the people, and he was renominated for the office. Although he had in no public way indicated any sympathy for the rebellion, he was not regarded as a strong Union man. If the matter had been left to the people, it is likely that he would have been defeated at the polls. The military authorities resolved to have him arrested just before the election, but he escaped from the State, and went beyond their control. They then ordered that he should not be allowed to stand as a candidate, and put troops at the polls to enforce this order, their aim being to secure the election of M. M. Benton, whom the Federal officers had adopted as their candidate. To defeat this end the conservative Union men nominated Judge Robertson, telegraphing his nomination on the morning of the election to the polling places. As the military guards had no orders to refuse the tender of votes for Judge Robertson, he was elected as a protest against the arbitrary action of the military arm; a large number of citizens testified their disgust by remaining away from the polls.

"This iniquitous system of interference with the civil law had now pretty thoroughly separated the better class of the Union men from all sympathies with the Federal Government. But worse was yet to come. In all the campaigns and battles in Kentucky, there had always been shown the utmost consideration for women and children. The soldiers of both armies, be it said to their great honor, were singularly considerate to them. Even when the battles raged through the towns, as they often did, the non-combatant class was tenderly cared for.

"But in 1864, the provost-marshals of the State, mostly men who were not soldiers in any proper sense, who had none of the better traditions of war, began to arrest and imprison on charges of sympathy with the rebellion, correspondence with the enemy, and the like. Women, with their children, were banished from the State to Canada under a guard of negro soldiers or sent to prison. Women whose children, brothers, and husbands were in the Confederate army, or dead on its battlefields, were naturally given to uttering much treason in their speech; but it was a pitiable sight to see the power of the Federal Government turned against these helpless sufferers.

"While the treatment of non-combatants, old men, women, and children, and the interference of the Federal troops with elections, was the principal grievance of the conservative Union men, there was another source of trouble of a more truly political nature, which served to increase the disaffection of the Kentuckians with the ways of the Federal authorities.

"The Federal Government had engaged to leave slavery as it found it in Kentucky and elsewhere. Although there was a certain amount of dis-

gust when the emancipation proclamation came out, it did not in itself make an enduring impression on the minds of the Union men; but when, in 1864, the Government began to enlist negro troops in Kentucky, the people became greatly excited over the matter. Up to this date, the Commonwealth had met the requisitions for troops to carry on the war with a promptness and loyalty unsurpassed by any other State. They naturally considered it as an insult that their slaves, even though such in name only, should be taken from them and put into the army with their own volunteer soldiers. Although this state of feeling will probably not commend itself as reasonable to those who were born in non-slave-holding communities, it was very natural in the Kentuckians. To them, military service had always been an honorable occupation, open only to those of the masterful race. They had refused to take into their service any recruits from the free negroes of the State. This blow at their military pride was keenly felt.

"The action of the Federal Government in this matter of enlisting slaves was singularly vacillating. Again and again the process was begun, and abandoned on account of remonstrances of the State authorities. It was an unprofitable experiment; the enlistment of white troops was made difficult; a few thousand blacks were secured, but they never proved of much service to the Federal army.

"This bitterness between the conservative Union men and the Federal commander grew to such height that in September, 1864, there was grave danger of an actual revolt of the Kentuckians against their oppressors. The State authorities were now fairly arrayed against the Federal provost-marshal and their following. General Hugh Ewing, commanding the district, had ordered the county courts to levy a tax sufficient to arm and pay fifty men in each county. His order was answered by Governor Bramlette, who, in a proclamation, forbade the county courts giving effect to the order. Although Governor Bramlette represented the ultra-Union men, there can be no doubt that he would have striven to maintain his position by the use of force. Governor Bramlette was reported at this time on the point of issuing a proclamation recalling the Kentucky troops from the field. Lincoln revoked Ewing's order, and so this critical point was passed. At the same time, an examination was ordered into the conduct of certain knaves, who had for months ruled Western Kentucky in a fashion that had not had its parallel since the tyrannies of the Austrian Haynau. A commission, composed of General Speed Fry and Colonel John Mason Brown, checked the iniquities and made such a showing that General E. A. Paine, Colonel H. W. Barry, of the Eighth United States Negro Artillery, and Colonel McChesney, of Illinois, and a number of subordinate officers were removed. It was charged that they had been guilty of extreme cruelty and extortion."

'After a thorough investigation, Commissioners Brown and Fry, both Union men of the highest integrity, reported that Paine's violence and men-

¹ Report accompanying Governor Bramlette's message, *House Journal*, 1865.

aces had compelled many peaceful and orderly citizens to abandon their homes. His harsh and brutal language, with constant vulgarity and blasphemy toward gentlemen and ladies of refinement, his robbery and extortions of citizens, his summary arrest and imprisonment of citizens against whom not an earthly charge could be made, and his seizure and execution of prisoners and citizens without charges and trials, were among acts of notorious infamy which were fully proven. The number of persons who had suffered death at his hands from summary execution was stated by some to be as high as forty-three, and the graves were shown to prove it. The commission furnished sworn testimony that Paine and five or six high official confederates were guilty of corruption, bribery, and malfeasance in office. To escape consequences, General Paine and his subordinates fled to Illinois, from whence they originally came. A Colonel McChesney, at Mayfield, One Hundred and Thirty-Fourth Illinois, was found to have also executed some men, four of whom were citizens—Kesterton, Taylor, Mathey, and Hess—without a shadow of trial, and had collected large sums of money from citizens by forcing them to do hard manual labor on useless entrenchments, unless they purchased immunity by paying from five dollars to four hundred each. General Meredith, who succeeded Paine, turned fifty-one prisoners loose at Mayfield and many more at Paducah.

Shaler further says: "These blows at the system of inflictions were not to do more than subdue, for a moment, the worst forms of the evil. This was too deep-seated for easy remedy. General Burbridge had an overbearing spirit. He gathered around him a set of advisers who, it was asserted, acting as a secret inquisition, sent many Union men into prison or banishment, simply because they protested against the Federal outrages. A sort of fury seemed to possess many men hitherto of good qualities as citizens or soldiers.

"So far from these brutal reprisals diminishing the evils of the guerrilla warfare, it grew each day to be a more crying evil. The Home Guards, which before had carried on a tolerably effective defense against these bands, became disgusted with the inefficiency and opposition of the Federal commanders. A vast number of bandit gangs, nominally in the Confederate army, but really without any control from commissioned officers, roamed over the State in all directions, robbing, murdering, and burning as they went. It seemed, for a time, as if civil government would be broken to pieces by these two mortal foes to order—the guerrillas and the provost-marshals. Even the small bands of Federal soldiers pursuing the guerrillas learned so far to imitate their ways that Burbridge himself was compelled to issue an order providing severe punishments for outrages by the Union troops. All these accumulating evils showed how true was the instinct of the people of Kentucky, who strove to keep the machinery of their civil system intact. There is a government by armies and a government by citizens, but the two can never be blended without the utmost danger to the State.

"It is the painful duty of the historian to go yet further in the history of this pernicious system that was developed by General Burbridge's agents. All that he did in the effort to suppress the guerrillas, and to clear the State of treason, may be set down as grave blunders of a brave, well-meaning, though most misguided, soldier. The next series of acts had, it was generally believed, the purpose of improperly taking money from the farmers of the State.

"The first step, in this new class of inflictions, was to order the farmers to sell their hogs to designated agents at a *fair* price; next, Burbridge commanded that no hogs should be sent out of the State without a special permit, and should be sold to the aforesaid specified agents. These agents offered a price considerably below that paid in the Cincinnati market. The ostensible reason of this action was that the Federal Government had given a contract to certain parties in Louisville to furnish one hundred thousand head of swine, and that, if the farmers were allowed to sell in their natural markets, the contractors would not be able to obtain a sufficient supply.

"General Burbridge's agents supported this demand by many threats of confiscation and other penalties. Naturally, the beginning of a system of confiscation of private property aroused an even more general and furious indignation than the mere political acts of oppression. Here again the protests of the State Government were heard by Lincoln, and, after about a month of wrestle with the evil, Burbridge's famous 'hog order' was revoked by the Federal Government. Notwithstanding the revocation of this order, General Burbridge was retained in command for some months afterward, and the citizens were yet to suffer for some months under this man more exasperating inflictions than came to them from the honorable war of other years. There can be no doubt that the people of Kentucky endured far more outrage from the acts of the Federal provost-marshals than they did from all the acts of the legitimate war put together."

The remaining military events during 1864 and to the close of the war, in Kentucky, were not of important character. General Forrest attacked Paducah on the 25th of March, in full force. Colonel Hicks, in defense, with two regiments and a battalion, retired into Fort Anderson, and refused a demand for surrender. He was supported by the United States gunboats Peosta and Pawpaw. After two days of siege and attack, the Confederates were compelled to retire, with considerable loss, but not until they had destroyed the Federal headquarters, quartermaster's and commissary's buildings and stores, and done much other damage. The Federal loss was one hundred men. About October 1st, General Burbridge, in command of four thousand Federal troops, including Colonel Graham's Eleventh and Colonel Weatherford's Thirteenth Kentucky cavalry, and Colonel Maxwell's Twenty-sixth, Colonel Alexander's Thirtieth, Colonel Starling's Thirty-fifth, Colonel Hanson's Thirty-seventh, Colonel Mim's Thirty-ninth, Colonel True's Fortieth, and Colonel Clark's Forty-fifth, mounted infantry, and

Major Quiggins' Sandy Valley Guards, marched out of Kentucky through Pound Gap, for the purpose of attacking and capturing the important works at Saltville, Virginia. This place was defended by a force of two thousand Confederates, in command of General John S. Williams, including a small brigade of Kentuckians, under Colonel W. C. P. Breckinridge. The advance of Burbridge from Pound Gap had been contested stubbornly and gallantly by a cavalry force of Colonel Henry Giltner, the engagements at Clinch mountain and Laurel Gap assuming the importance of battles. On the 2d of October, the attack on Saltville occurred. The fighting for some hours was spirited and desperate on both sides. General Williams, in the center of his command, rallied and enthused his men, and held them steadily to the front with that courage and gallantry which had ever distinguished him in the war, until the Federals were beaten back time and again, and finally driven from the field, with a loss of nearly four hundred men. General Burbridge retreated in disorder to Kentucky, pursued by the harassing Confederates.

The war was virtually ended in Kentucky early in 1864, excepting the petty, and aimless, and needless strifes of the provost-marshal forces and the guerrillas on the aggressive side, and the harassed and suffering citizenry on the submissive. The seventy-five thousand Kentucky troops in both the Federal and Confederate armies, in actual and necessary field service, had drifted beyond the borders of Kentucky, and were now dispersed and incorporated among the great contending forces that were marching and fighting in the Virginias and Tennessee, in Georgia and the Carolinas, and the extreme South-west on either side of the Mississippi river. They were yielding up their lives by the scores, the hundreds and the thousands, in frequent skirmishes and smaller battles incidental to cavalry raids, to scouting service, and to picket duty, and in the great battles of Chickamauga, of Mission Ridge, of Lookout mountain, of Kennesaw mountain, of Vicksburg, of Franklin, of Nashville, and in others on the march of Sherman to the sea. On the Potomac and around Richmond, the great battles of Gettysburg, Bermuda Hundred, Drury's Bluff, the Wilderness, Cold Harbor, Petersburg, Winchester, and Cedar creek, had distinctly marked the episodes of the war. In the earliest months of 1865, the beginning of the end of this mightiest civil struggle of all history and of all time was apparently nigh. The signs of exhaustion, of discouragement, and desperation of hope were manifest throughout the invaded and sundered realms of the Confederacy. The last recruits had gone to her decimated and wasted armies, her sources of army supplies were overrun and devastated by the advancing Federal hosts, and there was little left to postpone the inevitable result but the dauntless and heroic courage of the remnants of those armies of Lee, and Jackson, and Longstreet in the East, and of the Johnstons, and Hardee, and Kirby Smith in the West, which had for

four years commanded the admiration of the world for their deeds of valor and heroism.

The prodigious efforts of the past year at recruiting the Federal ranks by drafting and by bounties to volunteers had swelled the ranks of the Union armies to a total of over one million men, to which the Confederates could now oppose less than two hundred thousand. Beneath the constricting folds of the vast bodies of Federal troops moving over the fields of the South, the exhausted rebels were gradually yielding. At last came the evacuation of and retreat from Richmond, then the surrender at Appomattox, and finally the crash of the Confederacy.

The flight of President Davis from impending capture, and for refuge, accompanied by his cabinet, to Charlotte, North Carolina, under escort of a division of cavalry, in which were found the remains of Williams' Kentucky brigade, commanded by Colonel W. C. P. Breckinridge, and of Morgan's old brigade, commanded by General Basil Duke, and a detachment from Colonel Giltner's brigade; the separation of the cavalcade, and effort to reach the armies of Generals Taylor and Forrest in Alabama; the capture of President Davis and suite, and the final surrenders of all the armies east and west of the Mississippi river, make up a panorama of picturesque scenes and events to be justly viewed only on fuller pages of history than can be given here.

On November 8, 1864, Abraham Lincoln and Andrew Johnson were again elected president and vice-president of the United States. In Kentucky, this ticket received 27,786 votes against 64,301 for George B. McClellan and George H. Pendleton, Democratic candidates in opposition. During this year the credit of the United States Government sank to an alarmingly low ebb, and the values of both the paper currency and the bonds put forth by the government to support the emergencies of the war widely and wildly fluctuated. The greenback currency ranged in value upon the New York market as two hundred to three hundred dollars, to one hundred dollars in gold. Its value gradually appreciated toward the close of the war, as success seemed more assured to the Union cause. But it was not for years after the close of the war, that coin and paper currency approximated and reached the standard of equal values.

On January 11, 1865, James Guthrie, of Louisville, was elected by the Legislature United States senator for six years, from the 4th of March, 1865, and General John C. Breckinridge was appointed secretary of war in the Confederate cabinet, in place of James A. Sedden, resigned.

On the 6th day of January, Governor Bramlette sent in his message with accompanying documents of much interest and value to the history of that period. The report of Adjutant-General Finnell showed the total enrollment of persons liable to military duty in Kentucky to be 133,493, of whom from the beginning of the war to January 1, 1865, 76,335 volunteers were furnished to the United States army, and seven thousand more were already

recruited under the recent call, making a total near eighty-three thousand men. Besides these, the number in the service of the Home Guards, not enumerated in the above, may safely be estimated at ten thousand. During the term of the war, there were perhaps forty thousand of the citizens of the State who entered the Confederate army. We have in these figures one-tenth of the population, nearly, in military service; a larger per cent. given to war than has ever been furnished by any modern State in the term of three years. It should be considered that these men were volunteers from the citizens of the State, in no part composed of the substitutes who formed so large a part of the forces from the Northern States; yet Kentucky had, years before the war, sent many thousands of her youth as colonists to other States of the West. Thousands of these were in the regiments of their adopted States, both North and South.

In January, 1865, President Lincoln annulled the iniquitous orders concerning the limitations of trade in Kentucky, and the Confederate Government at last, and much needed for its self-vindication, took steps finally to disavow the action of guerrillas in the State. For many months the regular troops of the Confederacy had repudiated all connection with these outlaws, and even in some cases had joined with the Home Guards in hunting them down.

¹ "The banishment of Jacob and Wolford by General Burbridge was followed by an order to his subordinates to resist the State Government, which was at that time trying to raise a sufficient force of State troops to hunt down and crush out the guerrilla bands. Burbridge not only sought to nullify this action of the Commonwealth in raising new troops, but ordered the muster-out of all the State troops now in service.

"Soon after the assembly of the Legislature, a committee was appointed to visit Washington, and lay before the president the deplorable condition of the Commonwealth due to the conduct of Burbridge and his party. The remonstrances of these ambassadors, and the attention which Burbridge's acts had begun to attract in the whole country, led to his removal from command, thus relieving the State from the rule of a man who had been well-named the "military Jeffreys" of the war. He was replaced by General Palmer, a man of much better temper, who, though he fell under the same evil influences which had guided Burbridge in his course, never went to the same extremes.

"The people now began to act with more energy in the suppression of the guerrilla warfare. The Confederate scouts, from time to time within the State, did not hesitate to treat them as public enemies. A large part of the motive that led even decent citizens to take up with these marauding bands, or to give them aid and comfort, came from a spirit of protest against the arbitrary acts of the Federal officers. As soon as there seemed a chance that these evils were about to be mitigated, the people felt like regaining for

themselves a better public security, and took efficient steps for their protection.

"In February, the Thirteenth amendment to the Federal Constitution was presented to the Legislature for action. This amendment provided for the unconditional abolition of slavery within the United States, but did not secure any compensation for the value of the slaves within the loyal States. The subject was referred to the judiciary committee of the State Senate. Two reports were made; one, the majority, favoring the rejection of the amendment; the other, its acceptance, with the request that Congress give compensation for the value of slaves held by owners who were loyal to the Government during the rebellion. The majority report was accepted, both in the Senate and House; in the former, by a vote of twenty-one to thirteen; in the latter, by fifty-six to twenty-eight. The Thirteenth amendment was soon after adopted by the requisite number of States, and in this way slavery quietly lost its legal position, though its life had been practically extinguished by the events of the war.

¹ During the progress and at the termination of the war, many facts and statistics were preserved and compiled in the interest of science, going to show the relative condition of the people of Kentucky with that of other States and nations. Particularly does this refer to the statistics of the Sani-

¹ Shaler's Kentucky Commonwealth p. 372.

A Table of Measurements of American White Men, Compiled from Report of the Sanitary Commission, Made from Measurements of the United States Volunteers during the Civil War, by B. A. Gould.

NATIVITY.	Number of men	Mean height, in inches.	Mean weight, in pounds	MEAN CIRCUMFERENCE OF CHEST.		Mean circumference around forehead and occiput	Proportion of tall men in each one hundred thousand
				Each full inspiration, inches	After each inspiration, inches		
New England	152,370	67.834	139.39	36.71	34.11	22.02	295
N. York, N. Jersey, Pennsylvania	273,026	67.529	140.83	37.06	34.38	22.10	237
Ohio, Indiana	220,796	68.169	145.37	37.53	34.95	22.11	480
Michigan, Missouri, Illinois	71,196	67.822	141.78	37.29	34.04	22.19	466
Seaboard slave States			140.09	36.64	34.23	21.93	600
Kentucky, Tennessee	50,334	68.605	140.85	37.83	35.30	22.32	848
Free States west of Miss'pi river	3,811	67.419		37.53	34.84	21.97	184
British maritime provinces	6,320	67.510	143.59	37.13	34.81	22.13	237
Canada	31,698	67.086	141.35	37.14	34.35	22.11	177
England	30,037	66.741	137.61	36.91	34.30	22.16	103
Scotland	7,313	67.258	137.85	37.57	34.69	22.23	178
Ireland	83,128	66.951	130.18	37.54	35.27		84
Germany	89,021	66.600	140.36	37.20	34.74	22.09	109
Scandinavia	6,782	67.337	184.14	39.39	35.37	22.37	221

tary Commission, as carefully collated and classed by the distinguished mathematician, Dr. B. A. Gould, now well known as the astronomer of the Argentine Republic. Besides its humane work of charity, during the war, this society left a valuable body of fact in its carefully-made measurements of two hundred and fifty thousand men. These measurements were so tabulated as to separate men from the different parts of the country. From this excellent digest, the extracts given in the accompanying table are taken. The measurements of troops from Kentucky were doubtless far more numerous than from Tennessee, as the Federal troops from Tennessee were few in number.

It should be noticed that the Confederacy received the youth and strength mainly from the richest part of the Kentucky soil. It is nearly certain that the averages given in the tables would have been distinctly greater if they had included the forty thousand men who drifted out into the rebel army. Even without these corrections, the form of the men as determined by the measurement of fifty thousand troops is surprising. Their average height is nearly an inch greater than that of the New England troops; they exceed them equally in girth of chest, and the circumference of head. In size, they come up to the level of the picked regiments of the Northern armies of Europe. Yet these results are obtained from what was a levy *en masse*, for such was the call to arms that took more than one in ten of the population, both as infantry and cavalry. These troops did very effective service in both armies.

¹ The rebel exiles who braved all consequences and forced their way through the lines to form Morgan's cavalry, the First Kentucky brigade of infantry, the commands of Marshall, and others, and the earliest volunteer Federal regiments, were probably the superior element of these Kentucky contributions to the war. They were the first runnings from the press, and naturally had the peculiar quality of their vintage more clearly marked than the later product, when the mass became more turgid with conscripts, substitutes, and bounty volunteers. Had the measurements and classified results applied only to the representative native element, the standard of average of manhood would have been shown to be perceptibly higher. Though the ancestry of these soldiers had been a fighting people, yet for forty years their children had known and followed only the peaceful pursuits of agriculture, and the industries of trade peculiar to the Commonwealth, with the limited exception of the Mexican war interlude, which made an inconsiderable draft of the few thousand volunteers during its brief existence. They may be said to have been wholly unused to the spirit, and untutored in the arts, of war. Yet their record of bold and daring skill, of heroic courage, and of indomitable endurance, was equal to that of the best troops on either side of the combatants in this great civil war, and certainly unsurpassed by the soldiers of Europe, of the present or any past age. Take, for illustra-

tion, on the one side, the force of Morgan; we find in this remarkable body of men, great capacity at once for dash and endurance. Its leader, suddenly improvised from the ranks of private citizenship, not only organized, aligned, and led this splendid squadron, but possessed the intuitive genius to develop a new feature in the art of war, in which was a rare combination of vigilance, daring, fertility of resource, and an impetuous power of hurling all the husbanded force of body and mind into a period of ceaseless activity. Theirs was the capacity to break through the lines of the enemy, to live for weeks in an atmosphere of battle, fighting and destroying by day, and marching by night, deploying in front of the enemy, or attacking his lines and posts far in the rear—a life that only men of the toughest and finest fiber can endure. Yet this force owed its peculiar excellence to the qualities of the men and the subordinate commanders, as to the distinguished leader. Such a list of superior subordinate commanders as Basil Duke, Hines, D. Howard Smith, Grigsby, Cluke, Alston, Steele, Gano, Castleman, Chenault, Brent, and others, was perhaps found in no other such brigade of Kentucky cavalry. Yet at the head of their regiments and brigades, such leaders as Wolford, Green Clay Smith, Hobson, and others, showed qualities of a high order, and their commands proved to be the most effective Federal cavalry of the war. The fighting of the Federal regiments of Kentucky infantry and cavalry, throughout the great campaigns and battles of the war, showed the men to be possessed of the highest soldierly qualities; but so merged were they in the great Union armies, and so little of distinctive Kentucky history has been collated or published of these, that we find it difficult to illustrate with the recount of their exceptional services.

¹The most marked example of the character and success of the Kentucky troops in the Confederate infantry service has been given us in the well-preserved history and statistics of the First Kentucky Confederate brigade. We have already noted the daring and gallantry of these troops in the battles of Donelson, of Shiloh, of Baton Rouge, of Murfreesboro, of Chickamauga, and of other conflicts, to Dalton, Georgia, in May, 1864. On the authority of General Fayette Hewitt, this brigade marched out of Dalton eleven hundred and forty strong, on the 7th of May. The hospital reports show that up to September 1st, not quite four months, eighteen hundred and sixty wounds were taken by the command. This includes the killed, but many were struck several times in one engagement, in which case the wounds were counted as one. In two battles, over fifty-one per cent. of all engaged were killed or wounded. During the time of this campaign, there were not more than ten desertions. The campaign ended with two hundred and forty men able to do duty; less than fifty were without wounds. It will be remembered that this campaign was at a time when the hope of the Confederate armies was well nigh gone, and they were fighting amid the darkness of despair.

¹Shaler's *Kentucky Commonwealth* p. 476.

¹The data afforded us does not give us an accurate idea of the destruction of life traceable to the war. The returns of the adjutant-general do not include the loss from death or wounds, the hundreds of small fights between the Home Guards, and other irregular troops, and the raiding parties of the enemy. It is estimated that in the two regular armies the State lost approximately thirty-five thousand men by wounds in battle, and by diseases in hospitals and elsewhere contracted in military service. To these may be added several thousands whose lives were sacrificed within the State from irregular causes. There must be added to this sad reckoning of consequences the vast number of men who were shorn of their limbs, afflicted with internal disease bred by camp and march, or aged by the swift expenditure of force that such war demands. Omitting many small rencounters and irregular engagements in which there was much loss of life, but which have no place in our histories, Captain L. R. Hawthorne, in a manuscript summary of the history of the war, enumerates one hundred and thirty-eight combats within the borders of Kentucky.

In the closing scenes of the great war drama, of Confederate soldiers there were surrendered, by General Robert E. Lee, 27,805; General Joseph E. Johnston, 31,243; General Richard Taylor, 42,293; General E. Kirby Smith, 17,686; scattering and prisoners of war, 101,402—a total of 220,429. By the official reports, the aggregate Federal military force was then, in the field and enlisted, 1,000,516 men, besides the prisoners in the hands of the Confederates, and released at the surrender, the mightiest army of modern times.

¹ Shaler's Kentucky Commonwealth p. 377.

CHAPTER XXIX.

(1775-1886.)

First Period, 1775-1821:

Education of the Kentucky pioneers.

Discussions of the "Danville Club."

First schools.

Mrs. Coomes, Filson, May, and Doniphan.

Manuscript text-books used.

Kentucky primers and spellers.

McKinney's school.

First seminary, Transylvania, located near Danville.

Its early struggles and work.

First teacher and trustees.

Difficulties of endowment.

Transylvania moved to Lexington.

First buildings there.

Teachers Finley, Fry, and Priestly.

First denominational schools.

Legislature grants six thousand acres for a seminary in each county.

Proceeds of these mostly squandered.

Schools in Louisville.

Second constitution does nothing for education.

Might then have endowed a State system from North-west lands won by Clark, as Ohio, Indiana, and other States did.

Neglect of female education.

First suggestion in Governor Greenup's message, 1807.

General Green Clay's advocacy.

Election of Toulmin and Holley over Transylvania followed by discord.

Governor Slaughter's messages on popular education, 1816 and 1817.

Mistakes of Virginia and Pennsylvania.

Transylvania made a State institution in 1818.

Holley made president.

County seminaries dying of the *disease of trusteeism*.

Centre College incorporated, 1819.

Fines and forfeitures to county seminaries until 1820.

Second Period, 1821 to 1829—

First attempt to support common schools by "literary fund" of legislation.

Sixty thousand dollars first year.

Next year, Legislature diverts it.

State aid to Transylvania and Centre College.

Legislative sparring.

Alumni of Transylvania.

Report of legislative committee, 1821.

Governor Metcalfe repeats demand for Kentucky rights, in 1828.

Followed by Governors Morehead and Letcher.

If her Congressmen had demanded, Kentucky's share of public lands, ten million dollars.

Splendid report of William T. Barry and other committeemen.

Governor Desha's recommendations.

Ben Hardin's speech opposing.

Agitation for reform by Peers, Guthrie, Young, Morehead, etc.

Transylvania burned.

Louisville free school system.

Disorder and neglect of State school interests about 1830.

Peers' report.

Awakens interest, and leads to the first law of 1838.

Experimental district taxation inadequate.

Monitorial plan.

Educational conventions.

In 1836, Congress distributes to Kentucky \$1,433,177.

Eight hundred and fifty thousand dollars set apart for the school fund.

Law for a common-school system drafted by William F. Bullock, 1838.

Not for free schools.

In 1840, school fund seized on to pay other debts.

Effort to abolish the office of superintendent.

Labors of Superintendents Bullock and Smith.

School fund bankrupted.

Discontent at local taxation.

George R. McKee moves to repeal the system.

State school bonds publicly burned by the authorities at Frankfort.

Revised law of 1845.

Governors Clarke, Letcher, and Owsley and the Legislatures do nothing, while sister States build up systems out of government lands.

Sixteen hundred students away at colleges, and five thousand pupils now at home academies.

Dr. R. J. Breckinridge, superintendent, 1847-52.

Third Period, 1849-1865:

New bonds issued.

Two cents tax voted.

Schools improved under Dr. Breckinridge's management.

He restores the school fund.

Contest between friends and enemies in constitutional convention.

The sinking fund must pay the school fund dues.

Changes in Revised Statutes of 1852, and Constitution of 1849.

Dr. Matthews, superintendent.

Normal College established, 1856.

The civil war period.

Superintendent Stevenson's views.

Agricultural and Mechanical College grant.

Fourth Period, 1865-1886:

Plans and work of Superintendent Z. F. Smith, 1867-71.

Fifteen cents tax voted.

Increase to twenty cents.

School fund trebled, and system improved.

Opposition to reform.

H. A. M. Henderson's work as superintendent, 1871-9.

Improved law.

Superintendent J. D. Pickett, 1879-86.

Volunteer aid by Hons. Albert S. Berry, William M. Beckner, William Chenault, and others.

Work of Judge Laban T. Moore, and others, framing the school law of 1884.

Education in Kentucky, 1775 to 1821.—¹ It is sometimes said that the early settlers of Kentucky were an uneducated people. If this remark is limited to the body of the very earliest immigrants, it is, perhaps, true that they were rude and unlettered, but even among these there were many men of a different kind, such as George Rogers Clark, Benjamin Logan, John Floyd, the Todds, and others.

The immigration which came at the close of the Revolutionary war, in 1783, was of a different class. The historian, Humphrey Marshall, declares that among the population coming to Kentucky at this period, up to 1790, "was to be found as much culture and intelligence as fell to the lot of any equal number of people, promiscuously taken, in either Europe or America." The men who controlled and molded the destinies of Kentucky from 1783 to 1800, if not very learned, were, many of them, well educated and fully capable of meeting all the questions of interest and policy which arose at the establishment of Kentucky as an independent State.

The discussions of the Danville "Political Club," in 1786-87, as brought to light by Mr. Thomas Speed, in his article published in the Louisville

¹ Paper by William Chenault, LL.D., read before the Filson Club of Louisville, December 7, 1885.

Commercial, 29th of September, 1878, show that the politicians and statesmen at the head of affairs in the district of Kentucky, in 1787, would compare favorably with those in charge of the State at any later period of our existence. Even the excellences and defects of the Constitution of the United States itself were not more ably discussed in any of the ratifying State conventions of 1788 than by the leading men of the "Political Club" at Danville. The amendments there proposed to the Constitution are among the best which time and experience have since suggested. Other questions of State policy and political economy were handled with like ability by the members of that club. These are some of the evidences of the culture of the early politicians of the State, and more might be adduced.

The peculiar circumstances of our early history, under the influence of which the people grew up, were such as to impress upon them great vigor, energy, and enterprise, both of body and mind. Dr. Mann Butler asserts that, while some of the earliest pioneer leaders may not have possessed the artificial education which comes from the perusal of books, they did have that real education which is sure to come from the study of men, and a development of their faculties, so as to be able to take the best advantage of the conditions surrounding them. Many of them were endowed with the virtues of courage, kindness, magnanimity, fortitude, and all those elements of character which control the minds of the masses. Such men were better suited to the times in which they lived than they would have been if educated in the ordinary sense. The task of making Kentucky an inhabitable State, by conquering the Indians, felling the forests, clearing away the canebrake, and turning the buffalo paths into roads, called more imperatively for high physical powers and bodily endurance than for the book education obtained in the schools. The people lived with their rifles in their hands, and even the school-boys were required to carry their guns with them to school, as it was not known what emergency might arise in which the hands of the pupils might not be essential for their own protection. Amid such interruptions, they pursued their studies.

It would be a mistake, however, to suppose that even the earliest pioneer leaders of Kentucky felt no interest in the establishment of schools, or did nothing to promote the cause of education. Under the adverse circumstances surrounding them, they did almost as much to educate their children as could well have been done. Scarcely had the families of Hugh McGary, Thomas Denton, Richard Hogan, and William Coomes, been permanently settled at Harrodsburg, when an effort was made to establish a school in the fort. The very year that Captain DuQuesne and Chief Blackfish made their formidable assault upon Boonesboro, a young man arrived at that fort to impart the rudiments of learning to the children of the station. The block-house at Lexington was hardly finished by Colonel Robert Patterson, in 1780, when a teacher was employed to take charge of a school within the fort.

We learn from Bishop Spalding's "Sketches of Kentucky" that Mrs. William Coomes, a faithful Catholic woman from Maryland, taught a fort school in Kentucky, at Harrodsburg, in 1775. Thus was opened the first school in that wide country stretching from Harrodsburg to the Virginia line. The town of Harrodsburg was then a small place, with a row or two of little cabins. Its men were dressed in hunting shirts, leggings, and moccasins. The appearance in such a community of a school taught by a woman was certainly in striking contrast with the other surroundings.

Our earliest historians, Filson, Bradford, and Marshall, make no mention of the coming of Mrs. Coomes to Kentucky. Later writers barely mention the fact, but tell us nothing of the character of the school, the course of study, the methods of work, or any of those particulars which we would desire to know.

Be it remembered, however, that this faithful, daring woman was the first to cross the Alleghanies, and to plant this outpost of civilization in the wilderness of Kentucky. Long years elapsed before the State of her adoption gave to the children of her own sex the right to participate in the benefits of the public donations made to education, but this only entitles the faithful teacher to greater credit for her efforts in behalf of the cause of education.

To appreciate the difficulties under which the school of Mrs. Coomes was started, it must be recollected that neither a church nor a court of justice had yet been opened at Harrodsburg; that many men had already started back to Virginia from fear of Indians; that a number of the companions of Daniel Boone had just fallen while assisting him in making a road from Wataga to Boonesboro.

Another school was kept at McAfee's station, near Harrodsburg, in the year 1777, by John May. His pupils were the children of the McAfee families just arrived from Virginia. Some time afterward, this teacher fell a victim to the wiles of the Indians in a fight upon the Ohio river. Ere long, he was followed to the grave by another noted teacher of Kentucky, who lost his life in the forests of Ohio.

"Deep in the wild and solemn woods,
Unknown to white man's track,
John Filson went, one autumn day,
But never more came back."

At a later period, yet another teacher was taken prisoner by the Indians, adopted by them, and dressed in their own peculiar costume. After a short stay among the savages, he escaped and returned to Maysville, where he was warmly welcomed by his former pupils. These facts are incidentally shown by the imperfect records of our State. A more complete narrative would doubtless disclose schools broken up by the Indians, pupils carried into captivity, and other teachers killed, or sent as prisoners to the British garrisons in the North-west.

The third school was that of Joseph Doniphan, in the old fort at Boonesboro, in 1779. All that is known of Mr. Doniphan and his school is to be found in the history of Dr. Richard H. Collins. When Mr. Doniphan came to Boonesboro in the spring of 1778, Daniel Boone was a prisoner of the Shawanees, at Chillicothe. Colonel George Rogers Clark, at the head of his regiment, had already taken up his line of march for Illinois. What inducements brought Mr. Doniphan to Kentucky, or led him to teach, we are not informed. The school was taught in the summer of 1779. Mr. Doniphan was then a young man, twenty-two years of age. The patrons of his school are not certainly known, but the author has lately been informed, by Dr. Richard H. Collins, that there are grandchildren of Joseph Doniphan now living, who have heard this pioneer teacher say that he taught the children of Daniel Boone in this fort school. A tradition which has long lingered about Boonesboro includes the children of Nathaniel Hart, Jesse Oldham, and Richard Calloway among his pupils. The number of his pupils amounted to seventeen in all. From the known customs of the day, it is probable that most of the salary of Mr. Doniphan was paid in tobacco, which was then a legal tender. That which was not so paid was probably commuted for bear bacon, buffalo steak, or jerked venison. It is possible that Mr. Doniphan did not find the school profitable, as we learn he had returned to Virginia the next year, and was discharging the duties of a justice of the peace in Stafford county. At that period, justices of the peace in Virginia received no pay for their services, and none but the best men were appointed to the office. This would indicate that Mr. Doniphan was a man of standing in the community where he lived. In fact, this was true of many of the early teachers of Kentucky. Most of them were also engaged in the business of surveying, which was both an honorable and lucrative calling at that time. Some of the best early governors of Kentucky were teachers and surveyors.

A manuscript arithmetic, said to have been used in the Boonesboro school, made in 1768, by Mr. John Sleeps, of Virginia, and brought to the Boonesboro fort by Mr. William Calk, is still preserved in the family of Captain Thomas Calk, near Mount Sterling; but whether this was used as a text-book in the fort school of Mr. Doniphan can not be determined with certainty. As a number of such manuscript books upon arithmetic, surveying, and geography, have been found among the effects of pioneer families, it is probable that some books of this kind were used in the fort schools at Harrodsburg, Boonesboro, and Lexington. It is known, however, that printed books, such as Watts' Hymns, Gulliver's Travels, and the New Testament, were brought by the earliest explorers and hunters; so that printed school books may have come to the State in the same way, and been used in the fort schools. It is believed that the New Testament was used as a reading book in all these schools. As illustrating this practice, we give the following query from the Marble Creek Church, addressed to the Elk-

horn association in 1798: "Is it consistent with our duty to God and our children, to have them taught while at school to read works of human institution, until they are well acquainted with reading the Scriptures? Has not the reading of such books a tendency to lead their tender minds into a disesteem of the Bible?" The answer was that other books might be used if moral in their sentiment.

From the best information in possession of the author, it is believed that the spelling-book mostly used in the fort schools was that of Thomas Dilworth, an English teacher. It is probable the smaller children were furnished with a paddle, which had their letters and a, b, c's printed upon it. When the paddle was finished, the children could then own a Dilworth speller. This was certainly the practice in 1789. The practice of schools shortly subsequent to the fort schools makes it somewhat probable that the geography of William Guthrie and Dilworth's Arithmetic were also used in the fort schools. Soon after 1783, we find the arithmetic of William Horton and Murray's Grammar used in some of the Kentucky schools.

As early as 1798, two school-books, the Kentucky Primer and Kentucky Speller, had been printed in this State, at Washington, the old county-seat of Mason county. Harrison's English Grammar was printed at Frankfort in the same year. Other school-books, such as the Kentucky Preceptor, the Western Selections, the Union Primer, and Horton's Arithmetic, were printed at Lexington in 1805. Many of these books were used in some of our early schools. The spelling-book of Webster was printed at Lexington in 1816, and probably superseded that of Dilworth about that time. Specimens of some of these Kentucky school-books are now in possession of Colonel R. T. Durrett, of Louisville.

The fourth school was that of John McKinney, in the fort at Lexington, in 1780. Though little is known of the school, it has, perhaps, acquired more celebrity than any of the fort schools, from the famous adventure of its teacher with the wild cat in 1783. Accounts of this remarkable fight are to be found elsewhere. The fight itself and the alarm occasioned by it brought the entire garrison together within the fort. It is conjectured by Bradford that the conduct of the cat was so strange it must have been mad; but, if so, the serious consequences which usually attend the bites of mad animals did not follow in this case.

The teacher, McKinney, must have been a man of some force of character, as Dr. Collins informs us that he afterward became a member of the Virginia House of Delegates, a member of the first Kentucky Legislature, and a delegate to the convention which framed the first Constitution of our State.

The fifth school in Kentucky was of a different kind. It was a public seminary, and as such has an important bearing upon the first school system of Kentucky. It became the model after which all our other public schools were fashioned when Kentucky became a State. The man who was most

instrumental in establishing this school was Colonel John Todd, who fell at the battle of Blue Licks. Colonel Todd was a member of the Virginia Legislature in 1780. Through his representations, that body was made to see that certain lands in the county of Kentucky belonging to British subjects, not sold under the law of escheats and forfeitures, might at a future day be valuable as a fund for the education of the children of Kentucky, and thus conferred an inestimable boon to Kentucky.

Aside from many other facts marking Colonel Todd as a leader in his day, this act alone would give him an important place in the history of Kentucky. The State has probably received more reputation from the establishment of Transylvania University than from the bloody fights of her sons at Blue Licks, Bryan's station, Logan's fort, or elsewhere. The services of the graduates of this school have given a renown to our Commonwealth which will make Kentucky live in history when border fights with Indians are forgotten.

Among all the delegates from the different counties of Kentucky to the Virginia Legislature, Colonel John Todd is the only one known to have made a working record upon the subject of Kentucky schools. The lives of Benjamin Logan, Squire Boone, John Floyd, Richard Callaway, Green Clay, and other representatives from the Kentucky counties are singularly lacking in this respect. Their brilliant campaigns against the Indians do not entirely make up for this deficiency.

In the years 1780 and 1783, the Virginia Legislature endowed Transylvania Seminary by giving it twenty thousand acres of land. The school was to be established in the county of Kentucky as soon as the circumstances of the county and the state of its funds would permit. The land given was exempted from public tax. The professors and students were exempted from militia duty. The fidelity of the teachers and the diligence of the students were to be ascertained by annual examinations. On its board of trustees were placed many leading men in the district of Kentucky. In this list we find the names of William Christian, Isaac Shelby, Stephen Trigg, Benjamin Logan, John Todd, George Rogers Clark, John Craig, David Rice, Robert Johnson, Walker Daniel, Christopher Greenup, James Speed, and others. The law of Virginia endowing this school, in assigning reasons for the gift, declared in the preamble "that it was to the interest of the Commonwealth always to encourage and promote every design which may tend to the improvement of the mind and the diffusion of useful knowledge, even among the most remote citizens, whose situation in a barbarous neighborhood and a savage intercourse might otherwise render them unfriendly to science."

Little, indeed, did the authors of this law, in the humility of their anticipations, think that they were giving birth to one of the most distinguished institutions that ever sprang from Virginia—one which afterward poured its floods of science upon hundreds, one which was destined to throw a luster upon their names, perhaps unmerited and, it may be, unexpected. But

while we admire the humanity of the preamble, it would be unkind not to ascribe to them the consequences of the law.

Never was an institution of learning more in need of vigilant, brave, and faithful trustees to guard its title and interests than was Transylvania Seminary. The adverse claimants were the Shawanees and Wyandottes in the North and the Cherokees and Creeks in the South. No court of equity or common law had jurisdiction of the matters at issue. The mode of trial was by battle, in which the contestants were armed with the tomahawk, scalping-knife, and rifle. The contest opened at Little mountain, where Captain James Estill gave his famous command: "Every man to his man, and every man to his tree." The fight swept around over the battlefield of Blue Licks, where Colonel John Todd, the founder of the school, and Stephen Trigg, one of its most accomplished trustees, fell by the hands of the savages. It ended on the river Thames, in Canada, when Colonel Richard M. Johnson gave the battle-cry: "Remember the Raisin!"

The act establishing the Transylvania Seminary provided that the first meeting of its trustees should be held at John Crow's station, near Danville, on the second Monday in November, 1783, and thereafter at any convenient place in the district. The first meeting was accordingly held at the place and time named. This meeting was a memorable one in the early educational history of the State. The whole subject of establishing a public institution of learning in the district was discussed by earnest men in all its bearings upon the welfare of the future State of Kentucky. The foremost lawyers, doctors, ministers, and military officers of the district were there. The meeting was presided over by the venerable David Rice. Walker Daniel, Robert Johnson, Caleb Wallace, John Craig, Isaac Shelby, and Samuel McDowell, all gave the benefit of their counsel. James Speed, Christopher Greenup, and Willis Green were among the prominent speakers. Future governors of the State, founders of synods and presbyteries, judges of the Appellate Court, and judges of circuit courts were alike present.

After a thorough discussion of the subject, it was agreed by these earnest men in the forest of Kentucky that the prosperity and happiness of the rising young State was intimately connected with the liberal education of its people. These assembled guardians of the welfare of the district were too sensible of the value of knowledge to desire to bequeath to their children an inheritance of ignorance. They were too generous to disregard the welfare of those who were to come after them.

The result of the meeting was that a call was made upon the people of the district to increase the endowment already given by Virginia to Transylvania Seminary, by the aid of additional private subscriptions. It was found on trial to be impossible to do so. The condition of the district would not yet permit it. In fact, the call for pecuniary aid to Transylvania Seminary was made at an unpropitious time for the people of the district. Aside from the poverty always incident to settlement in a new country, aside

from the financial crash then pending upon the close of the Revolutionary war, the devastating ravages and robberies of the Indians along our whole border were then at their height. Several of the most important campaigns of Clark and Logan, in the North-west, and of Whitley and Montgomery, in the South, had not yet been made.

The first donation to the new seminary came from a distant stranger, the Rev. John Todd, of Louisa county, Virginia. In March, 1784, this gentleman, as an encouragement to science, gave to Transylvania Seminary a small library of books and some philosophical apparatus. At the time this donation was made, it was highly appreciated in Kentucky. There were then no newspapers in the district. Only a few wealthy families from Virginia had any books, and those were of an inferior class. The library and apparatus were afterward brought to Kentucky by John Mosely, a delegate to the Virginia Legislature, and deposited for a time at the house of Levi Todd.

Before the close of 1784, the trustees of the Transylvania Seminary ordered a grammar school to be opened in Lincoln county, near the residence of the Rev. David Rice. This school was opened on the 25th day of May, 1785, with James Mitchell as principal, at a salary of four hundred dollars per annum. Transylvania Seminary was thus opened and continued during the scenes of the separation conventions at Danville, in 1785-8. The quietude of the school hours must have often been broken by the stormy debates occurring in the old log court-house in Danville. The students must have often seen the manly form of Isaac Shelby, and the tall and contemplative figure of Benjamin Logan, as they rode into Danville to these successive conventions. Frequent visits to Danville by General George Rogers Clark, attractive by the manliness of his deportment, and the intelligence of his conversation, must have furnished occasions to the students for seeing this Hannibal of the West. They must frequently have looked upon the person of General James Wilkinson, with his bland manners, easy address, firm gait, and beaming countenance. Occasionally, they must have heard the inflammatory and eloquent speeches of Wilkinson upon his favorite topics of the free navigation of the Mississippi, and the evils suffered by Kentucky from her political connection with the distant State, Virginia. They also listened to the appeals of Judge George Muter and Colonel Thomas Marshall to the convention not to make a constitution for Kentucky, and erect the district into an independent State, except in accordance with the laws of Virginia.

Those were stirring times in Kentucky. News of fresh hostilities by the Indians on the old wilderness road, and of outrages by the Shawanees and other tribes upon the Wabash, were daily reaching Crow's station, where the seminary was located. The faithful teacher was true to the discharge of duty amidst all these discouragements. The seminary held its daily sessions. The charter of the school which was thus kept showed upon its face

that it contemplated a school in the neighborhood of savages, where the fierce war-whoop of the Indian might often be heard. It was Virginia's training-school for the children of her citizens, in the most remote regions of the Commonwealth.

The school thus opened was started shortly after Kentucky was given a district court. Its bearings for good upon the future destiny of Kentucky were perhaps not inferior to those of the court. Its effects upon the prosperity of the country, upon the standing and character of the district, were not inferior to those of any institution in Kentucky originating at the same time. Yet some of our historians have made conspicuous figures of the court and its officers, while the teachers and promoters of this school are passed in comparative silence. The bickerings and short sighted follies of early politicians, as shown in the separate conventions at Danville, are all noted as matters of serious import, while the fidelity of teachers who stood true to their trust in that early day, when the school-path was not secure from the savage stroke, is passed unnoticed. The site of the old hewed-log court-house at Danville, where the first political wrangling of the day occurred, has been carefully preserved, but the location of the old school-house, where public education first began its career, at Crow's station, in Kentucky, is unknown.

After the seminary was located at Danville, strenuous efforts were again made to raise money for it by private subscriptions. These attempts to increase the endowment all failed.

Early in 1789, the board of trustees carried the institution to the north side of the Kentucky river, hoping to find at Lexington a more liberal spirit to the cause of education. A house standing on the public grounds at Lexington was first used as a school house. As an encouragement to the school, on the 1st of January, 1791, the Virginia Assembly passed an act permitting this house to be occupied free of rent, so long as it was not needed for other purposes.

The crossing of Kentucky river from its southern to the northern side, by this important educational factor of the State, contributed much, in after years, to transfer the political supremacy to the northern side of the river. Lexington became the literary capital of the West. The seminary was now slowly rising into some importance, but was still sadly deficient in the funds necessary to operate it. Subscriptions, loans, and even a lottery, were all resorted to as means for raising money, but without effect. The pioneers were too poor in moneyed resources.

At last, a company of gentlemen in Lexington purchased the necessary grounds for the school, erected a two-story brick building, and presented them to the trustees of Transylvania, by whom they were accepted in 1793. This result was not reached without calling into requisition the services of many of the most prominent men in early Kentucky history. Harry Innes, John Bradford, John Campbell, John Hawkins, and others, were at different

times engaged as chairman of the board, while other familiar names appear as its active members.

Meantime, some good private schools were growing up in different parts of the State. John Filson and John McKinney were both teaching school at Lexington, in 1783. Filson was then engaged in gathering material for his celebrated history and map of Kentucky. Whether this pioneer map of the State was ever used in any of the schools the writer can not say, but the probabilities are in favor of its having been used in some of them. A series of questions upon the map of Kentucky has lately been found among the papers of Mr. William Calk, now in possession of Mr. Thomas Calk, of Mount Sterling, to which no known map of Kentucky was adapted, except that of Filson.

In December, 1787, as we learn from the history of Dr. Richard H. Collins, Elijah Craig was advertising a classical and scientific school, to be kept at Georgetown. Shortly afterward we find James Priestly at the head of a classical school in Bardstown. The Salem Academy, at which Mr. Priestly thus taught, was incorporated by the Virginia House of Delegates, in 1788. Joshua Fry had also then started another school in Mercer county, which was attended by a number of pupils, who afterward attained much distinction. Samuel Finley was teaching in Madison, with John Boyle as one of his pupils. Later along, in 1793, log school houses, built by the joint efforts of the neighboring farmers, were springing up at widely distant points throughout the State. The functions of the teachers in these country schools were to instruct in reading, writing, and ciphering *to the Rule of Three*. We learn from Dr. Drake, who attended some of these country schools, that the teachers were not versed in "grammar, etymology, and the definitions."

Some of the religious denominations were beginning to organize schools for training the children of people of their own persuasion, at this period. A denominational school of much interest was Bethel Academy, located in Jessamine county, upon a high bluff of the Kentucky river, and established in 1794. It was the first institution of learning erected by the Methodist Church in the valley of the Mississippi. The grounds of the academy contained one hundred acres of land. The school-house was large, but was never completely finished. The building of this house rendered the pecuniary means of early Kentucky Methodist preachers uncertain, for they were always begging for the school. The students of the school were subject to the regulation of the Western Methodist Conference. These rules compelled them to arise at five o'clock in the morning, and retire at nine o'clock at night. All games were prohibited. Idleness was punished by confinement, and a room was built for that purpose. The course of study was that of a high classical school. Its first teacher was Valentine Cook, one of the great men of his day. The Western Conference was often held at this house. In reaching it, the ministers, who came mostly from the

Holston country, incurred many perils. They traversed the Wilderness Path in Indian file, living upon biscuit, broiled bacon, dried beef, and tree sugar. Sometimes the path was watched by old Doublehead, a noted Indian chief, who was under a vow to be avenged upon the whites. This school was afterward incorporated and endowed by the State, with six thousand acres of land.

The first public school established and incorporated by the Kentucky Legislature was the Kentucky Academy. We learn from Davidson's History of Presbyterianism in Kentucky, that, in 1795, David Rice and James Blythe went to the Eastern States to solicit subscriptions to endow this school. They obtained ten thousand dollars. Of this, George Washington and John Adams, the president and vice-president, each contributed one hundred dollars, and Aaron Burr, fifty dollars. President Washington made special inquiries as to the state of education in Kentucky. This institution was located at Pisgah, near Lexington. In 1798, it was endowed with six thousand acres of land by the Kentucky Legislature.

Later in the course of the same year, the State of Kentucky, with a liberal spirit which will always deserve commendation, gave six thousand acres of land to each county in the State, for the purpose of establishing seminaries of learning. As new counties were subsequently formed, new grants were generally made. The first public schools thus endowed were all seminaries, somewhat lower than a college. In the act chartering them, it was left wholly in the discretion of the trustees, "what subjects should be taught in these academies, whether the English language, writing, arithmetic, mathematics, and geometry only, or the dead and foreign languages and other sciences generally taught in academies and colleges."

The object of establishing these academies, as expressed by the Legislature of 1798, was "to illuminate as far as possible the minds of the people at large, and more especially to give them a knowledge of those facts which history exhibiteth, that, possessed thereby of the experience of other ages and countries, they may be able to know ambition in all its shapes, and prompt to exert their natural powers to defeat its purposes."

Thus was inaugurated the first extensive system of public education in Kentucky. It consisted of one public academy in each county, with a large landed endowment. These endowments were well guarded by the law of 1798 creating them, but subsequent acts vested the trustees with wide powers of disposing of these lands, and thus opened a door for the ultimate destruction of the endowments by scheming or incompetent men.

These seminaries afforded opportunities to the people of the respective counties for obtaining a substantial grammar-school education. Attendance upon them was less expensive than upon the university at Lexington. The cost of tuition and board might often be paid in country produce, instead of money. Many of our early lawyers, doctors, ministers, and other professional men obtained all their education in these seminaries.

In 1798, Kentucky Academy was united with Transylvania Seminary. This union was the origin of Transylvania University.

About the beginning of the year 1800, as we learn from the "Sketches of Louisville," written by Colonel R. T. Durrett for the *Courier-Journal*, there were a number of elementary schools in that city. They were kept in log-houses, with board roofs and puncheon floors. The Louisville teachers of this period were Mr. Dickinson, Mr. Langdon, Mr. New, and Mr. Todd.

Prior to this date, in 1792, Kentucky had become an independent State. Two constitutions had been made for her before the beginning of the present century. Both documents were silent upon the important subject of education. It is claimed for Mr. George Nicholas that he was mainly the author of the first constitution. He has been deservedly praised for many of its provisions, but this omission was a serious defect. The second constitution, as we learn from the historian, Humphrey Marshall, was made by men of very similar characteristics to those who framed the first, with the exchange of John Breckinridge for George Nicholas. Breckinridge had just come from Virginia, where the important topic of education had already engaged the attention of Jefferson, Pendleton, and Wythe. But the second constitution, mostly the work of Breckinridge, is silent upon this great subject. Neither do any of the changes claimed to have been made by Breckinridge in the general statutory law of the State embrace this topic. Like omission may be alleged against our politicians too often since.

These omissions in our organic and statutory law are the more striking, as the celebrated congressional ordinance, providing so liberally for education in the North-western Territory, had then been passed, and the subject of education was attracting the attention of politicians throughout the United States. The brilliant campaign in the North-west which had been made by General George Rogers Clark, a distinguished son of Kentucky, aided by his famous regiment of Kentuckians, had already furnished a school fund for Connecticut and material for the endowment of universities, colleges, and free schools in Ohio, Indiana, Illinois, Michigan, and Wisconsin. It had just enabled the American minister, in the treaty with England at Paris, to claim the Mississippi river as the western boundary of the United States.

While Connecticut and other sister States were already beginning to divide up this vast territory won by Clark, and make it a foundation for State school funds and endowments, no protest had yet been heard from Kentucky as to her right to a share in this splendid conquest for purposes of education. Two governors of the State, Shelby and Garrard, had already issued various messages, with no allusion to this vital interest of the State.

The political resolutions of 1798, the acquisition of Louisiana Territory, the free navigation of the Mississippi, and the reform of the criminal statutes were the exciting topics of interest among the politicians of the day. The revenue and penitentiary laws of the State were matters of frequent men-

tion, but the bearing of popular education upon these branches of our State policy seems to have been overlooked.

The great cause of female education had not yet received any public aid from the State. The girls of the Commonwealth were obliged to put up with the scanty training which could be obtained in a few promiscuous country schools whose teachers, we are informed by Felix Grundy, were often destitute both of a knowledge of polite literature and good manners. Only two schools in the State—that of Rev. John Lyle, at Paris, and that of Mrs. Keats, at Washington, Mason county—then proposed to give them the benefits of an ordinary grammar-school education. The opposite sex had engrossed the means of knowledge and improvement, and suffered female talents to be neglected.

The earliest allusion to education which we are able to find in a State paper of Kentucky is in the message of Governor Christopher Greenup, dated December 31, 1807. This message, after alluding to the importance of education, urged that the state of our wealth and population was such that the Legislature could then look to the establishment of a more enlarged system of education than yet existed in the State. This document shows that a higher education for the few, and not a general distribution of elementary learning among the masses, was then regarded by the governor as the true policy of the State. The message also shows, in other parts, that the young men of our State were even then beginning to go North for their collegiate training. This notice in the governor's message is important, as it shows that the subject had at last forced its way into State politics. It was getting a feeble hearing before the people.

Early in 1808, General Green Clay, of Madison county, became a candidate for governor, and announced himself "in favor of a multiplication of the means and institutions of education." He thus became the first candidate for governor who ran in part upon a pronounced educational platform. His successful competitor, Governor Charles Scott, also favorably mentioned the subject in his message, December 22, 1811.

The cause made slow progress during the war of 1812. The second administration of Governor Shelby added much to the military reputation of Kentucky, but little was done to improve the schools. The attention of the people was engrossed by the war in the North-west and at New Orleans. The surrender of Hull, the siege of Fort Meigs, the defeat of Winchester, the massacre at Frenchtown, the victories upon Lake Erie, the Thames, and at New Orleans crowded the columns of our newspapers, to the exclusion of everything else. The flag of the country was unfurled in most of our country towns, and, at the call for volunteers, often teacher and pupils alike followed the standards of Clay, Shelby, Johnson, Caldwell, Poague, and Desha in search of Proctor and Tecumseh in the North-west, or the banners of Thomas, Adair, and Slaughter in search of Pakenham and his veterans at New Orleans. Some of the best descriptions of Dudley's defeat and of

Clay's entry into Fort Meigs were written by pupils from Kentucky. Some of the students were taken prisoners, and ran the gauntlet under the eye of British officers. Some were saved from slaughter by the humanity of Tecumseh.

During this stormy period, Transylvania University was at such a low ebb that it was surpassed in efficiency by many seminaries and private schools in the State. It is true that a professorship of law and politics had been created in the institution as early as 1799; George Nicholas had been appointed professor of law, and Drs. Fred Ridgely and Samuel Brown, professors of medicine; but these appointments were nominal, and no lectures had yet been delivered upon these subjects. The institution had been greatly afflicted at different periods, by distracting divisions among its board of trustees. Even while Transylvania was a seminary, the election of Harry Toulmin, as principal, though strongly recommended by Thomas Jefferson, had led to serious differences among the trustees. In fact, this election was the avowed cause of setting up another school in opposition to Transylvania Seminary, which was effected in the establishment of Kentucky Academy. The charges made in 1801, against Mr. James Moore, one of the professors of Transylvania University, again led to serious differences in the board. The subsequent election of President Holley was at first followed by like discord.

About this period, the schools in the city of Louisville were growing in importance. As we learn from the sketches of Louisville schools by Colonel Durrett, these schools, while in an advancing condition, were occasionally characterized by scenes of boyish insubordination, indicating the spirit and temper of the times. In April, 1809, the first *show* came to the city. The exhibition of an elephant, which accompanied the show, caused a general uprising in the schools, and a demand for holiday. The refusal to grant a request by the pupils of one of the schools to attend the show led to a small insurrection in the school, and a general overhauling of the teacher by its pupils; but the spirit of fun and good humor which attended the affair showed that nothing serious was meant.

Aside from these occasionally laughable incidents, the great cause of education was slowly growing in the State. In his message of December 2, 1816, Governor Gabriel Slaughter uses the following language upon the subject:

"I presume you will agree with me that nothing in this Government, whose firmest rock is public sentiment, is more worthy of your attention than the promotion of education, not only by endowing *colleges or universities* upon a liberal plan, but by diffusing, through the country, seminaries and schools for the education of all classes of the community making them *free to all poor children, and the children of poor persons*. At an early period, there was granted to each county in the State six thousand acres of land for the establishment and support of schools; this has been productive of some

good, but the fund has proved *inadequate* to meet the enlightened and liberal views of the Legislature. It is essentially necessary that schools should be more diffused to suit the convenience of the people. It is believed there are funds within our reach which in a few years would enable us to establish through the State a system of education which would be attended with incalculable advantages. Every child born in the State should be considered a child of the republic, and educated at the public expense, where the parents are unable to do it. To effectuate objects so valuable and desirable, I recommend an inquiry into the titles of lands stricken off to the State and forfeited; a revision of the law of escheat and for the appointment of escheators, and that such lands, *with a tax on banks*, and such corporations as from their nature are proper subjects of taxation, and such part of the dividends on the bank stock of the State as can be spared without materially increasing the public burdens, may be appropriated for the purpose, establishing an extensive and convenient system of education."

Here we find the germs of a system of education, free for the children of the poor alone. This mistake was made in the first systems, both of Virginia and Pennsylvania—a mistake which Jefferson says cost Virginia two hundred and twenty-five thousand dollars, *without educating a single boy*.

In 1818, the law was passed making Transylvania University a State institution. An attempt was now made to build up a great university, under the auspices of the State. A moment was seized upon, which, from a combination of circumstances, was rendered peculiarly propitious for the undertaking. We had just emerged from a severe struggle against the colossal power of Great Britain. Kentucky ranked high for her recent achievements in arms. She now sought to vie as successfully with her sister States in matters of education, as she had done in the tented field, where none outstripped her. All eyes turned, as if by previous consent, to Transylvania University, as the nursery for an extended and liberal system of education. Shortly afterward, Dr. Holley was called to the presidency.

Of this appointment, Dr. Charles Caldwell speaks as follows, in his discourse upon the genius and character of Holley:

"To all the friends of literature this event was a subject of much congratulation, and much rejoicing. Intelligence of it spread with electrical impulse upon the public mind, and almost with electric velocity, not only through Kentucky, but the States that surrounded her. It was regarded by all as an earnest of the permanent introduction of sound learning and science, with their train of numerous and mighty benefactions, into the valley of the Mississippi."

But while this new phase in the affairs of Transylvania University was gratifying in the extreme, it did not satisfy the desires of the people of Kentucky for primary schools of education. In his message of December 10, 1817, Governor Slaughter again returns to the subject, and foreshadows our subsequent system of common-school education in the following words:

"I beg leave again to bring into view the subject of education, one of the first importance that can engage your attention, whether we regard its influence on human happiness or the permanency of our republican system. Colleges or universities upon a large scale require considerable funds, and can not be numerous. The Transylvania University, which had its origin in the liberality of our parent State, will soon, it is believed, hold an eminent rank among the institutions of learning in the United States. I am not informed whether its funds are adequate or not, but think it would be wise in the Legislature to extend to this institution every aid necessary to place it on the most respectable footing. It is hoped and expected that this university, situated in one of the most healthy and delightful parts of the United States, will render it not only unnecessary for the youth of our own State to be sent to distant colleges, but invite the young men of other States to finish their education there. There are considerations in favor of a good system of education, which strongly address themselves to our pride as a State. It should be remembered that Kentucky is the first member of the Federal Union that emerged from the Western wilderness, and that she now holds a very high standing in the national government. And shall it be said that she is unfriendly or even indifferent to learning? Let it rather be our boast that Kentucky is as famed for science and the arts as for the valor and patriotism of her citizens. To establish a perfect method of education has long been considered by the most enlightened friends of mankind the best means of rendering a people free and happy. I, therefore, recommend to you to arrange and adopt a plan extensive, diffusive, and convenient to every portion of the community. I would advise that all the settled parts of the State be divided into school districts, equal to five or six miles square, through the agency of the courts, or in some other manner to be prescribed; a school to be established in each district free to all poor children, and to be supported, if not entirely, in part at the public expense. We have many good scholars, but nothing short of carrying education to the neighborhood of every man in the State can satisfy the just claims of the people, or fulfill the duty of the Government. Few people are able to board their children from home, and unless schools are established convenient to them, their education will be neglected. The distribution of schools in every neighborhood would be attended with many advantages: they will not only improve the mind and moral habits of the youth, but will give more permanency and a more settled character to our population. They will diffuse much useful instruction among all classes of people, and introduce a taste for learning and information. They will develop the mental riches of the Commonwealth. The experience of the world has proved that genius is not confined to any particular order of men; but providence, in bestowing its choicest gift, intelligence, as if to mortify the pride and vanity of those who, from birth and fortune, would exalt themselves above their fellowmen, delights to raise up the brightest ornaments of humanity

from the most obscure and humble conditions of life. To instruct and improve the rising generation is among the first duties of every American statesman. The American people, in establishing their independence and republican forms of government, have done much, but much remains yet to be done. These States are but recently transplanted from the nursery of freedom, and although in a thriving and promising condition, they have not acquired such maturity and strength as no longer to need the care and skill of the political husbandman. To give success to this experiment of freedom, the youth of our country should be qualified to understand and enjoy its blessings. In vain have our ancestors bled, in vain did they hazard everything upon the issue of our revolutionary contest, in vain has our country been distinguished by the most sublime and elevated patriotism, if the inestimable boon which they achieved is to be lost by a neglect of the means necessary to its preservation and progress. While the utility and importance of education are generally admitted, yet either because the beneficial effects appear remote or universal, the subject does not seem to excite that lively interest and zeal which are usually awakened by questions of a local or personal character. When we reflect that this Government has no need of a standing army to sustain or enforce its authority, but for its efficiency essentially reposes upon the patriotism and intelligence of the great body of the people, how obvious is the necessity of providing a system of instruction calculated to improve the minds and moral habits of the rising generation."

The country seminaries were now beginning to be considered failures as foundations of a system of popular elementary education. The private primary schools were gaining upon them in the estimation of the people. The question was beginning to be asked, Would it not be better for the State to give her aid to primary schools rather than the seminaries? The latter institutions were perishing under what the historian Humphrey Marshall called the "disease of bad government and multiplicity." The disposal, management, and control of the lands of each seminary had been left to its trustees. There had, consequently, been no uniformity, no general plan, no regular adoption of means which could secure success to all. In most instances their lands had been sold to speculators, and all the proceeds invested in one costly building, which stood as a monument of the folly of its projectors. But, notwithstanding the seminaries were now characterized as failures by Governor Adair in one of his messages to the Legislature, the spirit of promoting academical and collegiate education had not yet abated in the Legislature. On the 21st of January, 1819, Centre College was incorporated and located at Danville. From the "Memoirs of Rev. Thomas Cleland," we learn that the application for a charter met with violent opposition from some of the adherents of Transylvania University, and some other rival institutions. The prominent opponent of the college made his appearance in the Legislature with his arms filled with books and a servant behind him with a

wheel-barrow also loaded with them. He spoke several hours, and made a violent philippic to show that the Presbyterians on the other side of the Atlantic had always burned with a desire of uniting church and state. When he had ended, a member, Colonel James Davidson, a man of much dry humor, and a deep, sonorous voice, gravely told a simple anecdote, by way of illustrating the terrors which had been so awfully presented: An Irish Redemptioner lost himself in the woods one evening. He had heard a great deal of the Indians, and the novel sights and sounds around him inspired him with such alarm that he climbed up into a tree for safety and spent the sleepless night. On being found next day, he told through what perils he had passed. The fire-flies he mistook for the torches of the savages in quest of him, while his agitated fancy interpreted the doleful screams of the whip-poor-wills into menaces of destruction crying: "Whip him well, whip him well, cut and lash, cut and lash," "and the fire flew all the time," said he, "like the de'il." In short, he did not know what would have become of him had it not been for the "swate, heavenly bairds" (meaning the bullfrogs) who kept calling out: "Motheration, motheration." "Now," said Colonel Davidson, "when I heard the member conjuring up all those dreadful hobgoblins, they appeared to me of the same imaginary character of the poor Irishman's terrors, and I felt an irresistible impulse to rise up in my place and call out: 'Motheration, motheration.'" The ludicrous anecdote, narrated in the driest manner and with his gravest intonations, convulsed the house with laughter.

The serious and inflammatory speech on the other side was effectually neutralized, and the friends of the bill, adroitly seizing the propitious opportunity, hurried it through its final passage before the effect could be counteracted.

Immediately after the passage of the charter, the trustees of Centre College, through ex-Governor Shelby, as their chairman, issued an address to the people to remove any unfavorable impression which might arise from the erection of another college at this particular juncture of our educational affairs. The substantial points made in this address were:

First—That the college was not started with a view to inculcate the particular tenets of any religious denomination.

Second—That the county seminaries did not have the funds necessary to furnish a complete literary and scientific education. A number of colleges were needed to put the finishing hand to the studies of the pupils in the seminaries.

Third—That Centre College was not started with any purpose to injure Transylvania University.

Fourth—That the interests of literature and science would be promoted by establishing two colleges; that the professors in either would thereby be stimulated to greater exertions and the prices of tuition and board kept at fair rates.

Not many years elapsed before other colleges sprang up at Georgetown, Augusta, Bardstown, Princeton, and Harrodsburg. The seminaries, though on the decline as late as 1820, still received the benefits of legislative bounties in the shape of fines and forfeitures appropriated to their use. The amounts received from this source varied in the different counties, and were probably very unequal. These appropriations in their behalf were strongly opposed in the Legislature, but carried by a handsome majority. It was the last mark of approval they received at the hands of a generous Legislature. Their career had been marked by a spirit of speculation, negligence, and fraud on the part of some of their trustees, which worked much injury to the cause of education in the State. A few had survived the general shipwreck. Among these was Bracken Academy, at Augusta, which, by judicious management of its trustees, had accumulated a fund of ten thousand dollars, and was now aspiring to become a college. A few others might probably be mentioned that escaped the general shipwreck, but they were scarce. The seminaries, as created in Kentucky, had been weighed in the balances and found wanting after twenty-two years of trial.

1821 to 1840.—The succeeding legislation of the State looked to the organization of a different class of schools from the seminaries mentioned above. The educational policy of the State was changed so as to begin at the bottom with primary schools, instead of starting at the top with seminaries, as had previously been done.

The first legislation under the new departure was the act of December 18, 1821, setting apart one-half of the net profits of the Bank of the Commonwealth, as a "literary fund," to be distributed for the support of a general system of education. Provisions were made to start the new system at as early a date as possible. The "literary fund" at first yielded sixty thousand dollars per annum, as a basis for the new enterprise. Hard times and increased demands upon the State treasury made sad havoc of this new "literary fund," before it reached its promised destination. The profits of the Commonwealth's bank stock, which had thus been set apart as a literary fund, were used in 1824-25, to assist the revenues of the State, in order to prevent a resort to additional taxation. The interests of education were thus subordinated to the wants of the State revenue, and a policy inaugurated which afterward worked much injury to the educational interests of Kentucky. The "literary fund" was so crippled by this policy, that Kentucky had no State fund sufficient for the establishment of a system of common schools, until she obtained an educational fund from the United States Government, as hereafter detailed. Another clause in the same act of 1821 gave one-half of the net profits of the branch banks at Lexington and Danville, for the benefit of Transylvania University and Centre College, respectively. A warm contest in the Legislature arose over these college appropriations. The assault was led by Mr. Jesse Noland, of Estill county, ably seconded by Mr. Martin Hardin, of Hardin county. Mr. Noland

said he was opposed to the adoption of this resolution. The rich men who get their children educated at these seminaries ought to pay for it. It was an uncommon thing for gentlemen to beg; and he did not think it was reasonable to give them anything. The poor might beg. But when he met gentlemen in ruffled shirts and fine clothes begging, he did not understand it. When he met a poor old man on the road with one eye, or a cripple, it was well enough to give him something. But he did not think this was a fair game. The Transylvania University and the Centre College have been applying here very often; he thought they ought not to be encouraged in it. If we are to give money to support schools, he thought it ought to be given to support a school in each county for the poor.

The member from Hardin county took even broader grounds of opposition. He claimed that the public derived no benefit from providing for free education, especially collegiate education; that those men who have gotten an education by such means, when they come to the bar, or engaged in other professions, did not take the less fees on that account. They did not tell the people that they had been educated at public expense, and could afford to take less for their services on that account. He insinuated that education was of but little use, as all the battles of the country had been fought by the uneducated classes of society.

These specious arguments were answered by William Worthington, Nathan Anderson, and Robert B. McAfee. To the plea that the battles of the country had been fought entirely by uneducated men, Colonel McAfee made the following warm response:

"The gentleman to my right, from Hardin, has asked who are the men who sustain you in war, and fight the battles of the country, and he has answered the question himself by saying, 'the uneducated class of society.' Does he mean to insinuate that education unnerves the hero's arm? Does he deduce from this that learning dampens that expanded glow and ardor which pervades the patriot's breast? I presume not, sir. Who were they who shed the first blood in the West, in the late glorious struggle with Great Britain? Were they not educated men? Yes, sir—the first impulse was given by a Daveiss, a Hart, a Meade, an Allen, and a Montgomery—all men of polished education. Education produced in them a 'fondness for noble daring,' impelled them to the tented field, and their deaths were glorious, as their lives were blameless. Yes, sir, on the banks of the Wabash, and of Raisin, those heroes lie, the snows of heaven their winding-sheet, but entombed in the hearts of their countrymen. I, sir, feel as much gratitude for the services of the unlettered as the lettered soldier; but I protest against the idea that education enervates the system, or is incompatible with patriotism."

Colonel McAfee might have further added that, in fact, there was a close connection between the subject of university education, the cause of liberty, and a republican government. The history of the Revolutionary war shows

that we are indebted for the first great impulse which was given to public sentiment to the powerful and energetic pens of those whose pure taste was cultivated within the walls of William and Mary, Princeton, and Cambridge. Throughout the administrations of Governors Slaughter and Adair the cause of higher education in Kentucky, as represented by Transylvania University, received a warm support from the executive department of Government. The impolicy and danger of sending our young men to other States for collegiate education was strongly set forth in their messages. They portrayed the great amount of additional consideration and luster which the Commonwealth would receive from the successful operation of such an institution in our midst, as Transylvania University then promised to be. Their messages abounded in suggestions as to the best methods of raising funds to give the university a liberal endowment.

Already the lights of Transylvania were beginning to appear, and their influence to become perceptible through Kentucky and the valley of the Mississippi. Among its distinguished graduates were Richard M. Johnson, John Rowan, William T. Barry, Jefferson Davis, Elijah Hise, Robert J. Breckinridge, Benjamin W. Dudley, Charles S. Morehead, and many others. Dr. Richard H. Collins characterizes them "as statesmen, jurists, orators, surgeons, and divines, among the greatest in the world's history—men of mark in all the professions and callings of busy life."

Early in the latter part of 1821, the large landed appropriations, which had been made by Congress, to promote the cause of common-school education in many of the new States, at last began to attract the attention of the people of Kentucky. The Legislatures of Maryland and New Hampshire sent strong documents to the Kentucky Legislature upon the injustice of this action to the old States.

A legislative committee, to whom was referred the papers of Maryland and New Hampshire, made the following report :

"That the communications submitted to them embrace reports and resolutions thereon, adopted by the Legislatures of these States, and the objects of which are to direct the attention of Congress and the Legislatures of the several States of the Union to the national lands, as a source from which appropriations for the purposes of education may, with justice, be claimed by those States for which no such appropriations have yet been made.

"Your committee, highly sensible of the importance of the fact that the most effectual means of achieving and perpetuating the liberties of any country is to enlighten the minds of its citizens, by a system of education adapted to the means of the most extensive class of its population, and alive to any just means within their power for the advancement of this great object, not only within their own State, but alike to all the members of the great political family of which they are a part, and for whose common interests they are thus united, have, with much interest, examined the facts stated and arguments used in said reports, and do not hesitate to concur in

the opinions therein expressed, that the national lands are strictly a national fund, and that, from the extent and nature of the fund, appropriations may with greater propriety be extended to all the States of the Union.

"It is deemed unnecessary, in a report of this kind, to enter at large into all the arguments that might be used to establish the opinion above expressed. A few of the facts which have presented themselves in the investigation of this subject are submitted.

"It is ascertained that all the States and Territories whose waters fall into the Mississippi have been amply provided for by the laws of Congress relating to the survey and sale of the public lands, except the State of Kentucky.

"Why those appropriations should have stopped short of Kentucky, your committee are not able to see, especially when they take into consideration its situation to other States of the Union, the contest it has maintained in establishing itself, protecting at the same time the western borders of the old States, and extending the more northern and western settlements.

"Kentucky long stood alone in a forest of almost boundless extent, separated from her parent settlements by extensive ranges of mountains and forests, fit receptacles for her savage enemies, and by which she was cut off from the succor, and almost from the knowledge, of her friends, yet maintaining her stand, and at the same time forming a barrier by which the more eastern States were protected from the common enemy, she has not only established herself, but has also gone forward to the establishment and support of those States and Territories which now form the great national domain, which is the subject of this report.

"Notwithstanding many arguments might be used, which would go to prove that Kentucky has claims to appropriations of those lands, without extending the system to all the other States, yet your committee believe that such arguments are not necessary, and that a few facts here submitted will prove that those appropriations may be made general, without materially affecting the national revenue.

"Relying upon the apparent correctness of the able document before the committee, received from the State of Maryland, it appears that the total amount of literary appropriations made to the new States and Territories will amount to 14,576,569 acres; that the additional amount required to extend the same system to those States for which no such appropriations have yet been made would be 9,307,760 acres; that the State of Kentucky, as her part of such appropriation, would be entitled to 1,066,665 acres; and estimating the whole quantity of unsold lands, yet owned by the United States, at 400,000,000 acres, that the additional amount required to extend the same scale of appropriations to all the States which have not received any would not amount to two and a half per centum upon the landed fund as above.

"Relying, therefore, upon the foregoing considerations as sufficient for their purpose, and believing that the magnanimity of their sister States in

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evidence is not sufficient to establish
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the West will produce a unanimity in the Congress of the United States upon this subject, your committee are prepared to close this report, and beg leave to recommend the adoption of the following resolutions:

“Resolved, by the Senate and House of Representatives of the Commonwealth of Kentucky, That each of the United States has an equal right, in its just proportion, to participate in the benefit of the public lands, the common property of the Union.

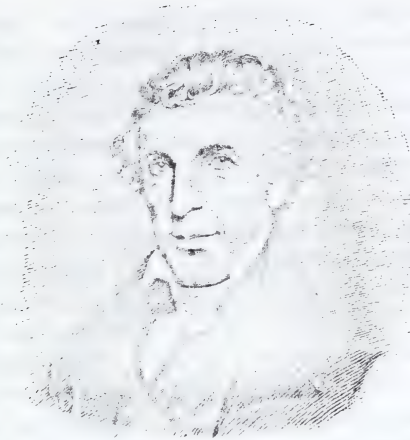
“Resolved, That the executive of this State be requested, as soon as practicable, to transmit copies of the foregoing report and resolutions to their senators and representatives in Congress, with a request that they will lay the same before their respective houses, and use their endeavors to procure the passage of a law to appropriate to the use of the State of Kentucky, for the purposes of education, such a part of the public lands of the United States as may be equitable and just.”

These resolutions were passed with much unanimity. Governor Thomas Metcalfe afterward followed up the subject in December, 1828, in a ringing message to the Legislature, urging the right of Kentucky to the proceeds of the public lands for purposes of education. The grounds taken by the governor were substantially those urged in the legislative report of 1821. The right of the State to this donation was subsequently asserted by Governors James T. Morehead and Robert P. Letcher, in messages of like tenor. In a later report made to the Legislature at a subsequent session, it was claimed that if Kentucky was given a fair distributive share of the public lands, her fund received from that source would amount to ten million dollars.

The message of Governor Metcalfe took another step in advance, by maintaining the position that the daughters of the people of the State were no less entitled to the paternal care and beneficence of Kentucky, in the distribution of public benefactions, than were their sons. By the most persuasive considerations, he urged the Legislature to confer upon the State the honor of having taken the first step for the promotion of female education.

By this time, the disadvantages of the seminary system for purposes of primary education, as compared with local country schools brought home to the people in every neighborhood, began to be felt by all. These disadvantages were strongly set forth in messages of Governor Joseph Desha to the Legislature.

At its October session, 1821, the General Assembly appointed William T. Barry, David R. Murray, John R. Witherspoon, and John Pope, commissioners in behalf of the State, to collect information and digest a plan of common-school education suited to the condition of the State. That report was made November 30, 1822. It is justly regarded by Dr. Richard H. Collins as one of the great State papers of Kentucky. It discloses upon its face a remarkable indifference to the importance of the subject existing throughout the State. Though letters were addressed to intelligent



WILLIAM T. BARRY.

in this report. It was almost universally approved, but no steps were taken to put the project into operation. Throughout the administration of Governor Desha, he made repeated entreaties to the Legislature to put the system into effect, but without success.

In fact, there were many difficulties as yet attending the adoption of common schools by the people of Kentucky. The peculiar situation of the State, deriving much the larger part of its population from Virginia, where the efforts upon this subject had been signally unsuccessful, the habits and feeling of the people, the want of popular interest in the matter, were serious obstacles to the immediate success of the system. Not a few of our statesmen were opposed to free schools upon principle. The cause of this opposition to them was stated by Benjamin Hardin in a speech upon education before the Kentucky Constitutional Convention. His language was as follows :

“I have no opinion of free schools, anyhow—none in the world. They are generally under the management of a miserable set of humbug teachers at best. The very first teacher that a child has, when he starts with his a, b, c, or is learning to spell ‘bla’ or ‘baker’ or ‘absolute,’ should be a first-rate scholar. He should know exactly how to spell and pronounce the English language, and should understand the art of composition and the construction of sentences. In the language of Dean Swift, he should have ‘proper words, and they should be put in proper places.’ The worst taught child in the world is he who is taught by a miserable country schoolmaster; and I will appeal to the experience of every man here, who ever went to those schools, to say how hard it is to get clear of the habits of incorrect reading and pronouncing they have contracted at these country schools. For myself, I will say it cost me nearly as much labor as the study of the legal profession itself to get clear of the miserable mode of pronouncing contracted before I went to a collegiate school, at the age of seventeen—your

citizens in every part of the State, asking detailed information in regard to the condition, management, and expense of their schools, these letters were generally totally disregarded. The report, however, is especially very valuable for the letters it called forth from Thomas Jefferson, James Madison, John Adams, and Robert Y. Hayne. These letters should be read by every citizen of our State, who values the permanency of our free institutions.

A splendid system of common and free schools was recommended

'would' and 'could' and 'should,' and all that. I knew a man in Grayson who was to prove a settlement between two litigants, in a case where a small amount, some thirty, forty or fifty dollars, was involved. He gave in his testimony, and every now and then he would throw in a word of four, five or six syllables, utterly inappropriate to the sense; like putting a magnificent, quilted saddle and splendid bridle, with plated bit and curb, upon a miserable, broken-down pony, or an ox; there was just about as much propriety in his application of these words, and I saw at once he was a country school-master. He had proved the making of the settlement, and, said I, 'When did it take place?' 'On the 39th of October,' said he. 'Oh, the 39th of October, you say?' 'Yes, sir.' 'Are you not mistaken? Was it not the 29th?' 'No, sir. I know the use of words as well as you do, Mr. Hardin, and say it was the 39th.' I then asked him how many days there were in October. He said he did not exactly recollect, but somewhere between forty and fifty. 'How many months are there in the year?' 'Oh, there you are somewhat ahead of me, but I know there are over ten and under fifteen.' 'You are a school-master?' 'Yes,' said he, placing his hands on his hips, and looking very self-important, 'thank God, that is my vocation, and I am making an application for a free school up here, and I want you to help me, if you will.' 'Sir,' said I, 'I will do it with all my heart, for you come exactly up to my notion of a free-school teacher.'" Such was the argument of Mr. Hardin.

BEN HARDIN, famed as one of Kentucky's greatest lawyers, was a native of Pennsylvania. He was educated at Springfield, Bardstown, and Hartford, Kentucky; studied law with Martin D. Hardin and Felix Grundy, and was qualified for the practice in 1806. He settled in Bardstown in 1808, where he kept his office until his death, in September, 1852, and where he ranked among the ablest of the galaxy of great lawyers, who made that bar famous in his day. His talents, industry, and impressive influence brought him an extensive and lucrative practice, yet he was called by his constituents to serve them four terms as representative and once as State senator, and for ten years in Congress, at intervals, from 1815 to 1837. He was singularly and mercilessly sarcastic in speech and discussion, with an aptness and clearness in presenting his case, and intensely and aggressively combative, qualities



HON. BEN HARDIN.

which made him an opponent ever formidable and to be feared. Borrowing from his style and force in Congress, John Randolph styled him "*The Kitchen Knife*," rough and ready for every encounter. Appointed secretary of state under Governor Owsley in 1844, an embittered controversy grew up between the two, and he finally resigned in 1847. His last public service was as a member of the Constitutional Convention of 1849-50, in which his speeches and influence were of a very marked character.

Legislative action on the part of the State was delayed until 1828. The necessity of the adoption of some general plan of education then began to arrest popular attention in many parts of the State. Dr. John C. Young, president of Centre College, well said "that the speedy adoption of a system of general education was the only thing which could secure to Kentucky the rank which she held in the Confederacy." He called attention to the fact that "the qualities which commanded admiration for the State in her early days would not secure to her honor in later years; that she was no longer a frontier State, and could no more find renown in fields of blood, but it must be sought in the wider fields of literature and science."

Many of our sister States had already advanced so far in the matter that Kentucky could not afford to hold back. Virginia had appropriated more than one million dollars for education, forty-five thousand dollars of which went to common schools. Kentucky had done nothing but cause reports to be made to the people to show how desirable primary schools would be. For years past, since the close of the war of 1812, the State had been harassed by angry controversies. While engaged in these unprofitable and wasteful party struggles, the "literary fund" had been encroached upon and greatly reduced.

Educational meetings were now held in Frankfort, Lexington, and other prominent points throughout the State. The leading spirits in this popular movement were Rev. Benjamin O. Peers, James Guthrie, Charles S. Morehead, John C. Young, and others. The sentiment in the city of Louisville had become comparatively strong. The charter granted to the city on the 13th of February, 1828, gave authority to establish one or more free schools in every ward of the city. This was a step in advance of the State on the free-school question. As we learn from Colonel Durrett's sketches, on the 24th of April, 1829, the Council adopted an ordinance establishing a free school. The school was opened in August, 1829. It was free to all who chose to attend it. Dr. Mann Butler acted as principal and Edward Baker as assistant. The third historian of Kentucky thus became the head of the first free school in the State.

With this first dawn of free schools, a great calamity occurred at Lexington to the cause of higher education. In 1829, the building of Transylvania University was burned to the ground, involving in its destruction the greater portion of a costly library and much of the philosophical apparatus. A report from a joint committee from both houses of the Legislature, appointed at this time to examine into the condition of Transylvania, showed that the State of Kentucky from its foundation as a Commonwealth had then donated altogether to the University about twenty thousand dollars. The State aid extended to it, instead of being extravagant, had been moderate, compared with the liberal endowments made by other States to their colleges and universities. New York had then given to her colleges and academies the sum of \$1,265,579. Virginia had given to her university at Charlottesville about

four hundred thousand dollars, besides an annual endowment of fifteen thousand dollars. Kentucky was still far in the rear with her donations both to collegiate and primary education. Our State university had seen its best days and was already upon the decline. An effort made about this time to revive the university and place it at the head of our system of rising common schools failed to meet the approval of the Legislature.

A close examination into the educational condition of Kentucky made by friendly eyes showed that out of eleven or twelve hundred primary schools in the State in 1830, there were 31,834 children in schools and 139,142 out of schools. One large county in the State, whose children numbered eight hundred and ninety-three, did not have a school in its limits or a single child at school, while other large tiers of counties had their children at school in proportions ranging from ten to three hundred, from ten to one hundred and eighty, from ten to one hundred and forty, from ten to one hundred and thirty, from ten to one hundred and forty. Even the most favored county in the State in 1830 had its children at school in proportion of ten to twenty-three. The number of people in New York who could then read and write, as compared with the whole population, was one to three, while in Kentucky it was one to twenty-one. Our State was behind three-fourths of the monarchical countries of Europe in the matter of education. Only Portugal, Russia, Poland, and France were behind us. The masses of our people as yet had manifested no interest in the educational legislation of the State. Members of the Legislature, when reproached for the slowness of their movements upon this great subject, always responded that the people took no interest whatever in the matter.

In this state of the case, the pulpit, the bar, the press, the legislator, and the teacher were all invoked to lend a helping hand. In active and efficient means to promote the cause at this period, none worked more effectively than did the Rev. Benjamin O. Peers, whose great services in the cause justly entitled him to be termed the founder of our system of common schools. The difficult task of introducing common schools into the State might well have appalled the strongest friends of the cause. How these difficulties were overcome will be stated hereafter.

In 1829, Kentucky was getting ready for the introduction of a general common-school system. In that year, the Legislature requested Benjamin O. Peers, subsequently the president of Transylvania University, to communicate to the General Assembly any information he might possess upon the subject of common schools, which might aid in the adoption of a system for Kentucky. This request was made because it was known that Mr. Peers had just traveled over New England, and other parts of the United States, where popular education had been made a subject of legislation. He had gone with a special view to study the educational systems of those States.

The report of Mr. Peers was made in 1830. It was thorough and able. It abounded in general observations as to the practical lessons, both of ad-

vice and admonition, taught by the experience of New York, Connecticut, Massachusetts, and other States. The most important inferences which he drew from the experience of those States were :

First—That the united experience of New York and Connecticut strongly dissuaded from the attempt to create a large State educational fund, as the basis of our system of common schools.

Second—That nothing could be accomplished by our State legislation upon education, unless popular sentiment was fully alive to the importance of the subject.

Third—That local interest and neighborhood effort should be relied on as much as possible, in procuring aid, expending funds, and superintending the interests of schools.

Fourth—That the division of our counties into school districts was necessary to the success of a school system in Kentucky.

Some of these conclusions had already been verified by the local experience of our State. The wreck of our splendid system of county seminaries was largely due to the apathy of the people upon the subject of popular education. Through like indifference and inattention on the part of the people, our magnificent landed endowments had been made a prey to the negligence of trustees, and the arts of land speculators. The early academies, in regard to which Jefferson, Madison, and Adams, had spoken so hopefully in 1822, were now mostly in a dilapidated state and fast going to ruin. Their funds had been squandered, and but a few were exerting any influence in the cause of education. Through like indifference, Transylvania University, our only State university, was soon after compelled to surrender its interests to the keeping of a religious denomination.

The doctrines taught in the report of Mr. Peers met with a favorable reception from the Legislature. They became the underlying principles of the common school law of Kentucky in 1838. Though that law was not passed until eight years later than the report of Mr. Peers, the act still finds its best exposition and defense in his report. Even the great educational report made by William T. Barry and others, in 1822, has not left such an impression upon the present common-school laws of Kentucky.

At the time the report of Mr. Peers was made, the State possessed no sufficient fund to sustain a system of common schools. It was felt, however, that a longer delay in adopting a diffusive plan of education in Kentucky would be dangerous. During the same month of January, 1830, when the report was made, a law was proposed establishing a uniform system of education for the State. This law was not based on any general State educational fund. It adopted the principal features of the Massachusetts school system, which was that of district taxation entirely. It gave the County Courts the power to divide the counties into suitable educational districts, and gave to these districts power to levy taxes by popular vote to sustain the schools. It left everything to the people of the school districts.

This bill was ably advocated by C. S. Morehead, and for convenience I shall designate it as the Morehead common-school bill. When this bill came up for discussion, Mr. John P. McClary, of Louisville, proposed an amendment to the effect that the schools established by it should be on the monitorial plan. This had been the plan adopted in Louisville. It was supposed to be especially recommended by its economy. The school in Louisville, run upon this plan, then had three hundred pupils, and it was believed the number would shortly go to one thousand. The salary of the two teachers employed in the Louisville school did not amount to more than one thousand dollars per annum; and it was believed by many that one thousand pupils could as easily be taught as three hundred. The monitorial system was founded on the plan of mutual instruction. The more advanced pupils taught the less advanced, and the master superintended the whole. By this plan there would be a great saving in the matter of salaries to teachers. But the Louisville amendment was not accepted.

Mr. Richard Hawes, of Clark county, strongly opposed the Morehead school bill. He said, as to the poor counties, the scheme would be a splendid bauble; that there were fifteen or twenty counties where the heads of families do not average one to the square mile; that the idea of free schools among them would be wholly illusory; the districts would have to be ten miles square, and the children would require a guard to keep off the bears and wolves. He objected also because the Morehead bill proposed to give the power to levy taxes on Tom, Dick, and Harry, when they might have no property to be affected by the tax. The law passed, but it was a dead letter on the statute book. So far as we are aware, not a school district was organized and reported under it. There seems to have been no sufficient public sentiment in favor of education to infuse life into the law. The passage of the act was followed by a series of educational meetings in different towns and counties to arouse popular interest in the subject. These gatherings were capped by a great educational State convention, held at Lexington, in November, 1833, where the conditions and wants of the State, both as to primary and collegiate education, were thoroughly canvassed and discussed by friends of the cause. An able address, drafted by Mr. Peers, was made to the people of Kentucky, setting forth the condition of the State in the matter of illiteracy. No practical results were as yet reached from all these efforts.

In 1836, the United States Congress recognized the justice of the positions taken by Kentucky, New Hampshire, and Maryland in 1821, as to the propriety of distributing the proceeds of the public land among the States. The General Government then distributed a large sum of money derived from the sale of the public lands, of which Kentucky received \$1,433,177. This fund was not appropriated by Congress to any particular purpose, but it was left for the State to decide as to what disposition should be made of it. There was then a strong desire on the part of some members of the Legislature to give

it to purposes of internal improvements. Others were disposed to invest it in bank stocks. Finally, a compromise was reached in the act of February, 1837, by which eight hundred and fifty thousand dollars were set apart as a school fund, forever dedicated "to founding and sustaining a general system of public instruction." This was the origin, in part, of our present school fund.

In order to make this fund productive, it was invested in bank stocks and bonds of the State of Kentucky. Unfortunately, that part of the fund which was invested in bonds was used to purchase internal-improvement bonds issued by Kentucky, and the interests of the common-school system were sometimes sacrificed to those of the internal-improvement system. The idea was advanced that the cause of education and the cause of internal improvement might be made to aid each other; that the principal of the common-school fund might be used for the purposes of internal improvement and the interest on the school debt might be paid from the dividends to accrue upon the stock owned by the State in its works of internal improvement. The plan worked badly, as the dividends did not turn out as favorably as was then supposed. This transaction afterward had many serious consequences.

On the 16th of February, 1838, the law was passed "to establish a system of common schools in Kentucky." This act set apart the interest on the eight hundred and fifty thousand dollar school fund, dedicated it to school purposes, and established in detail a common-school system. The law was drafted by Judge William F. Bullock, of Louisville. It was ably advocated by him in a strong speech explaining all its provisions. The law thus drafted contained many of the great outlines of our present common-school law, but it differed in some essential features from the subsequent law of 1845, and also from the common-school law as made by the Revised Statutes of 1852.

The object of the law of 1838 was not to establish free schools, but to create common schools, in which the children of the rich and poor might associate on terms of equality. Neither did it propose to educate the children of the State at public expense; but the small bonus given by the State was intended to act as an incentive to the people in the different school districts to impose a sufficient voluntary local tax upon themselves to educate the children of their own districts. This idea was borrowed from the New York system, and it was a part of the plan proposed in the report of the Rev. Benjamin O. Peers. It was then believed that the people of Kentucky were sufficiently anxious to secure to their children the blessings of good education to make them furnish liberally the means for that purpose. The law of 1838 made it a condition of receiving State aid on part of any school district that the district should regularly organize, procure a school-house at its own expense, and levy a local tax sufficient, when supplemented by the fund received from the State, to meet the expenses of maintaining a school in the district.

At the time of the passage of the common-school law of 1838, James Clark was governor of the State. The Rev. Joseph J. Bullock was appointed first superintendent of public instruction. When the law was passed the finances of the State were deemed ample and sufficient, public confidence was firm and unshaken; but the next year a revolution took place in the monetary affairs of the State and commercial world. The terrible financial storms of 1839-40-41-42 soon followed, in which the bonds of Kentucky sank to a depreciated value, while some of our sister States sought relief in repudiation.

In 1840, the school funds of the State were seized upon and applied to the liquidation of the internal-improvement debt. Though the children of the State were the most sacred of her possessions and demanded her greatest solicitude, the roads, creeks, and rivers of the Commonwealth were improved at the expense of the minds of her children.

The greatest difficulty in introducing the common-school system at first was found to be in the indifference of the people and the neglect of county school officers to discharge their duties under the law. The first State superintendents, Joseph J. Bullock and Hubbard H. Kavanaugh, spent their official terms in trying to arouse a sound public sentiment in favor of common schools. This was attempted by means of public addresses made in different parts of the State. The blessings of education, the evils of illiteracy, the teachings of Aristotle, Plato, Socrates, Washington, Jefferson, Madison, Adams, and others were urged almost in vain, without producing any general adoption of common schools. It was found that public prejudices and misunderstandings as to the purposes, objects, and practical operations of the law were exceedingly great. The law had not reached the third year of its existence when a proposition was made in the Legislature to abolish the office of superintendent of public instruction. The effort had a formidable support, and was only defeated by the vigilant efforts of Judge William F. Bullock and other friends of the cause.

In 1840, the school system was but partially established in a few scattering districts in the State. The people of Woodford county had adopted it in seven districts, and Franklin followed close in the wake of Woodford. The local taxation voted in the different adopting districts varied from ten to thirty cents on the one hundred dollars' worth of property. To the town of Versailles belongs the honor of having organized the first common school in the State. To the county of Wayne belongs the honor of having been the first county in the State to adopt the system entire, according to the superintendent's report of that day.

An event in the progress of the system was the apportionment of the small school fund among the adopting districts in 1840. Until then the system was not at a working level. Scarcely had the superintendent, Bishop Smith, finished his report in that year, when Governor Letcher made the startling announcement in his message that no preparation had been made

by the State to pay the drafts for common-school purposes soon to fall due. This announcement was almost a death-blow to the system.

In order to impart life to the schools, Bishop Smith, then superintendent, had called to his assistance the aid of the Methodist Conference, the United Baptist Association, and the Kentucky Presbyterian Synod. Every element of influence had been invoked to produce the feeble results already achieved. All was thrown into confusion by the action of the State Government failing to meet the debt due the schools.

In 1843, notwithstanding the interest due upon the school fund had been sacredly pledged for school purposes, the arrears of interest due from the State to the Board of Education amounted to \$116,375. The entire principal of the school fund received from the General Government had been spent in making roads to the "Sounding Gap," or in improving the navigation of "Panther's creek," "Mayfield's creek," "Goose Creek," "Troublesome creek," and similar streams. The State was still behind on its debt to the Board of Education, and its inability to meet the drafts for that purpose had produced discouragement among the friends of the system. The operation of this influence was shown in the correspondence with the educational department at Frankfort. In some places schools had been continued five years, and received nothing from the State. Some of the county school commissioners had gone so far as to borrow money from the banks on individual credit, expecting to receive their proportion of the money in due time.

The reason assigned for not paying the interest on the bonds given by the State to the Board of Education was, that as these bonds were debts due from the State to itself, it was not deemed expedient to borrow the money to pay the interest upon them. Hard times and an empty treasury seemed to be united in an effort to starve a common-school system to death. Superintendents Smith, Brush, Dillard, all protested against this wrong, but in vain.

Meantime, loud complaints were made by the people against that part of the school law of 1838, allowing the districts to impose local taxation by popular vote. The complaint made was that this method of raising money necessarily led to inequality of taxation. It was asserted that rates imposed thus fell heaviest on the poor and lightest upon the rich districts.

Many other objections were also made. Early in February, 1843, Mr. George R. McKee reported a bill in the Legislature to repeal the common-school system. This effort to overthrow the common-school law was based upon the idea that the operation of the law was such that the school fund would be entirely absorbed by the cities and a few of the leading towns of the State, while it was contended that the system could not be reduced to practice in such extreme counties as Harlan, Perry, Letcher, and others.

This effort to repeal failed, but in the following November the law of 1838 was so changed that no district tax could be levied unless upon a vote

of two-thirds of the people of the district, and that part of the law authorizing the appointment of a district collector was repealed. It was then a matter of doubt whether any district tax at all could be imposed for common-school purposes. The important and effective right of local taxation, which had been the stronghold of the Bullock school law of 1838, was thus speedily abandoned in Kentucky, almost without a fair test of its merits. That part of the Bullock law had already met with a like disastrous fate in the cold reception given by the people to the Morehead school law of 1830.

The severest blow was yet to come. On the 5th of August, 1845, by virtue of an act of the Legislature passed January 10th, previous, the Board of Education surrendered to the governor the State bonds, six in number, amounting to \$917,500, and they were canceled, by burning, in the presence of William Owsley, Thomas S. Page, and James Davidson. No satisfactory reason was ever assigned for this act. The object of the Legislature in burning them is thus explained by Lynn Boyd: "The bonds were in loose pieces of paper, and the Legislature, for the better protection of the debt due to the Board of Education, caused duplicates of the bonds to be recorded in the books of the secretary of state and second auditor, to have the same force and effect, and bear the same rate of interest, as the original bonds, and then, lest the originals might get into wrong hands, the Legislature caused the bonds to be burned."

Judge George Robertson, commenting upon the act, said "that in burning the scrip, Kentucky was guilty of no act of robbery or injustice, but acted with commendable prudence for preventing the sale and perversion of the bonds." Charles A. Wickliffe, speaking of the burning, says "the Legislature, with a view of reducing on paper the State debt, ordered the bonds to be canceled, and thus was blotted out the school fund."

Cassius M. Clay, the leader of the emancipation party in the State, declared that it was "a systematic effort on the part of the slave-holders to prevent the people from education, as being, in the language of George McDuffie, incompatible with the institution of slavery."

Notwithstanding the burning, the system was still administered by able superintendents, but the small pittances allowed by the Legislature for education had more the appearance of charities, than legislative provisions made by a great Commonwealth to meet the intellectual wants of one hundred and seventy thousand children. Instead of imparting life and vigor to the system, the niggardly sums given tended to imperil the cause of popular education. The people were becoming impressed with the belief that the Legislature did not intend doing anything worthy of the character of the State.

In 1845, the Bullock common-school law was thoroughly overhauled, and many important changes made in its essential features. So many objections had been made to district taxation, that the plan of raising money by private subscription was adopted as a substitute for the Bullock plan. The

most vital feature of the law of 1838 was thus abandoned. As will be shown hereafter, it was not until March 2, 1865, that the plan of raising money by district taxation again reappears in the Kentucky school system. The result of all this hostile action on the part of the Legislature, and of these serious changes in the law, was greatly to weaken the confidence of the people in the stability and permanency of our common schools.

Other States were making great progress in the cause of education, while Kentucky was falling behind. Even old Virginia was beginning to shake off her sloth, and behold with shame and confusion sixty thousand of her white population unable to read and write. The young States of Ohio and Michigan, so liberally aided by the United States Government in the establishment of both their schools and colleges, were making rapid strides to the front.

The administrations of Governors Clark, Letcher, and Owsley, had come and gone in Kentucky, with no substantial practical results from our common-school system. The entire outcome of ten years' legislation and flattering talk upon the subject of education in Kentucky was, that we only had a law upon the statute books. It had not taken root in the affections and life of the people. The system had a precarious existence, and fears were entertained of the repeal of the law.

It is a noteworthy fact, that while common schools were at such a low ebb in Kentucky, eight hundred of our young men were in attendance upon colleges within the State, and about one hundred receiving collegiate education out of the State. Transylvania University, Centre College, Georgetown College, Augusta College, St. Mary's College, and Bacon College, were all well-manned and crowded with students. There were pupils in academies and grammar schools to the number of four thousand nine hundred and six; while, at the same time, there were over two hundred thousand children of the State not in attendance at school.

It is difficult to say why collegiate and academical education for the few should so flourish, when common schools for the many should so languish. It was accounted for in the Northern States by assuming that the institution of slavery created a spirit of pride which made the masters of many slaves unwilling to place their children on a level with those of the poor, and submit to the neighborhood regulations requisite to success for the common schools. So far as Kentucky was concerned, this idea was repudiated by all our superintendents, except Dr. Dillard, who vaguely said in one of his reports, that this tendency of the people of Kentucky to give collegiate education to their children while so many of the poor were uninstructed, was not because a majority of the wealthy and independent citizens were opposed to education, but because they needed more a sense of equality and less of distinction and exclusiveness.

In 1847, Dr. Robert J. Breckinridge was appointed superintendent of public instruction. The system soon received the vitalizing touch of his

genius. Shortly afterward Governor Crittenden announced that the common schools had recently made great progress throughout the State. By act of the 29th of February, 1848, the governor was directed to issue a new bond for arrears of interest due the board of education. A bond was accordingly issued for \$368,768.42, payable at the pleasure of the Legislature. Soon afterward a vote was carried before the people, giving the school fund the benefit of an additional tax of two cents on the hundred dollars' worth of property. The unwillingness to impose taxation, arising from a fear of losing popularity on part of the law-makers, was thus skillfully met. This has been the uniform practice since, when politicians are unwilling to lose their popularity by levying a tax for education. The next duty to which the new superintendent devoted himself was the settlement of the principle that the State should no longer use the school fund for the ordinary expenses of the government. This question was settled favorably for the cause of education. The superintendent then directed his attention to the retraction of the policy of February 10, 1845, by which the State bonds were ordered to be burned, and to the re-establishing of the school fund upon a permanent and effective basis. These great results were successfully achieved. The school fund was thus virtually rescued from destruction by the superintendent.

Meanwhile, the constitutional convention of 1849 had met, and a change in the organic law of Kentucky was under consideration. The burning of the school bonds in 1845, the failure to meet the interest on the school debt, the appropriation of the money due to education to internal improvements, had become a matter of the deepest concern to the friends of education. The experience of eleven years had demonstrated the necessity of securing the school fund against the rapacious spirit of the Legislature, which had not hesitated to lay violent hands upon it whenever the emergency seemed to require. A clause was inserted in the new constitution directing that the capital of the common-school fund should be held inviolate for the purpose of sustaining a system of common schools. The same clause directed that the income of the school fund should be appropriated in aid of common schools, but for no other purpose. The Legislature was thus deprived of all power to apply the money coming to the Board of education either to internal improvements or to defray the ordinary expenses of government.

This provision of the Constitution was strongly resisted in the convention by Benjamin Hardin and Willis B. Machen. It was attempted to divert the convention from the passage of this important article concerning education by argument, fun, and the relation of ludicrous anecdotes. The leaders in the convention in favor of the educational clause were John D. Taylor, Larkin J. Procter, Ira Root, Thomas J. Hood, William K. Bowling, Charles A. Wickliffe, and Thomas J. Lisle. To these men the people of Kentucky owe the consecration of the school fund to purposes of education, as shown by the records of the debates in the convention.

A question of the greatest importance was still unsettled, as to whether the common-school fund should be considered a part of the State debt, payable out of the sinking fund. Governor Helm had refused to treat the interest as so payable. His reasons for so doing were:

First—That by section 1, article XI., of the Constitution, it was provided that the interest upon the school fund should be paid by taxation, and not out of the sinking fund.

Second—That this was the true construction of the Constitution as interpreted by the men who framed it.

The grounds in support of his objections were well set forth in two able messages to the Legislature. This position of the governor was endorsed by like opinions from George Robertson, James Guthrie, John W. Stevenson, Elijah Hise, and perhaps others. The opposite opinion was maintained by Dr. Breckinridge in a spirited communication to the Legislature. In March, 1850, an act was passed declaring the sinking fund was liable for the principal and interest of the common-school debt, and directing the interest to be paid by the commissioners of the sinking fund. The act soon afterward became a law, notwithstanding a strong veto by Governor Helm.

The provisions of this law were afterward executed by Governor Powell, and the gratifying announcement made to the people of Kentucky that the matter was finally settled, and that hereafter the interest upon the school debt would be paid annually by the commissioners of the sinking fund. The same act also declared that the principal of the school debt was payable out of the sinking fund. The effect of the law was to pledge the entire internal-improvement stock of the State to the payment of the school bonds. This was an act of inherent justice. As a large part of the school fund had been applied to the improvement of our roads and rivers, it was right to appropriate their income to pay the interest on the school fund, and to pledge the stock in same for the payment of the principal at maturity.

In 1852, the statutory law of the State was thoroughly revised. Some great changes were then made in the school system of Kentucky. These statutes made our common schools free schools. Prior to this, our schools had been common schools, in opposition to private and select schools, but not in opposition to pay schools. This change in the system was strongly opposed by Dr. Breckinridge. He urged that the change would overthrow the State system of common schools.

Another important alteration made by the revised statutes was that hereafter the books to be used in the schools were not to be selected by the parents of the children, but by the State Board of Education. This new feature was borrowed from the New England and New York systems. It was bitterly opposed by Dr. Breckinridge, but has since become the settled policy of the State.

The third and greatest change made by the revision of 1852 was that the educational fund of the State should be used exclusively for the promotion

of elementary education. Prior to this, pecuniary aid to colleges, seminaries, and higher institutions of learning had been a part of our State policy; but the rigid definition of a common school as made by the statutes of 1852 seems to exclude all aid to universities and colleges. This close definition of a common school was carried forward into the revision of March, 1865, and into the general statutes of 1873. It has been supposed by many that the definition of a common school as made by the statutes of 1852 was its true meaning as required by the Constitution of 1849. This dedication of the school fund to a system of public instruction in elementary schools was believed by Guthrie, Wickliffe, Dixon, Taylor, and Clark to be enjoined by our present Constitution. Men equally as great, such as George Robertson, Dr. Breckinridge, Charles S. Morehead, and John L. Helm, have held that the Constitution of 1849 admitted universities and colleges to be an essential part of our common-school system. It is, perhaps, proper also to remark just here that the act of December 18, 1821, directing William T. Barry and others to prepare a plan of schools of common education for the State, declares that "in a well-regulated system of general education different grades of schools ought to be established." The latter view seems to be more in accord with sound policy and with the proper historical view of the meaning of a common school as used in the Kentucky system. If the question was, Which is the most important, popular education or the existence of colleges, it would hardly admit of dispute. Happily, their prosperity is intimately connected, and an impulse given to one is felt by both.

At the end of 1852, the administration of Dr. Breckinridge, as superintendent of public instruction, had closed. A great work had been done for education in Kentucky. The result is substantially summarized, as follows, in the superintendent's report for December, 1853: An immense fund had been created, organized, and secured; when destroyed by an act of frenzy, it had been retraced, restored, augmented by the Legislature, and made sacred by the Constitution. A complete system of education, in its lowest stage, had been established. Hundreds of school-houses had been erected, and a deep public interest aroused in favor of education. A large part of what had been accomplished was due to Dr. Breckinridge. Much also was due to his predecessors in office. Many statesmen had done their part. Many philanthropists had done theirs: the press had done its part.

In 1853, the common-school law was in operation in every county in the State, but there were still many gross deficiencies which time and patience alone could cure. Though the system was territorially in operation in every county in the Commonwealth, the complexion of any particular school, the amount of information imparted, its influence upon the community in which it was located, depended entirely upon the character of the teacher employed. First-class men could not be obtained for the insufficient salary afforded by the State fund.

A law was passed, at the session of 1855-56, reorganizing Transylvania University, and establishing there a State normal school, as an indispensable aid to our common-school system. This was a new era inaugurated in the history of our common schools, though the establishment of such an institution had been repeatedly urged by every State superintendent of public instruction, and also by many of our governors. This new experiment was abandoned after two years' trial, on account of the drain which it made upon the funds going to the common schools, and our system was left a "body without a head."

Meanwhile, amid all the drawbacks to which our schools were subjected, there was a constant increase in the average daily attendance upon them. The vitality and energy of the system were not such as were needed in many of its practical workings. It had been administered by able superintendents. Their reports were full of valuable suggestions for the cause, but as yet the schools were imperfect, and had failed to meet the expectations and desires of the people of the State.

Our statesmen were wrestling with questions of national politics, such as the tariff, the fugitive-slave law, the acquisition of Cuba, and the glittering generalities of the Whig and Democratic platforms, but few of them made any vigorous efforts to remove the evils of illiteracy. Thomas Jefferson, after having drafted a common-school law for Virginia, spent his declining years in fostering her State university; but Rowan, Clay, Crittenden, and Underwood, passed from their political labors with no suggestions as to the proper legislation to improve our common schools, and no legislative measures for the advancement of the cause of collegiate education. The subjects of roads, banks, domestic manufactures, emancipation, the Mexican war, the sufferings of Greece, South America, Hungary, Know Nothingism, and a hundred other topics, took precedence over the crying evils under which the children of the people of Kentucky were laboring from the inefficiency of our defective educational system. Superintendents Breckinridge, Matthews, and Richardson, with the limited pecuniary means at their command, were powerless to remedy the defects of a system to some extent imbecile, from the lack of sufficient pecuniary support.

1862 to 1886.—Throughout the continuance of the late civil war our common schools were on the decline. Voluntary contributions to education almost entirely ceased. In many counties, especially those bordering upon Tennessee and Virginia, the people were deprived of the necessities of life. The school fund, securely intrenched by constitutional restriction, was left untouched by the legislation of the war.

The act of 1864 requiring trustees, teachers, and school commissioners, to take the oath of loyalty, seriously affected the prosperity of many schools. Drawn in the spirit of some of the severest enactments of Henry VIII., it was too stringent for the people of our State. It was a remarkable specimen of unwise legislation, in its practical effects upon our educational interests.

From 1860 to 1865, school districts in the State, to the number of seven hundred and twelve, had been discontinued. On the 30th of January, 1864, the common-school law had again been amended and seriously changed. The plan of sustaining the schools partly by public funds and partly by private contributions, as introduced by the law of 1845, was now found to be impracticable. Experience had shown that Dr. Dillard was right, when he said a great State system of education could not be rested upon voluntary contributions. Much good had been accomplished by this method, but it was always an unreliable plan of sustaining the schools. It was a feeble substitute for the vigorous system of local district taxation which has produced such satisfactory results in many of our sister States. It was not a part of the original common-school law, as drafted by Judge Bullock, and founded on the report of Benjamin O. Peers. It was a stranger to the system proposed in the great state paper of Barry, in 1822. The Morehead school law of 1830 rested upon no such insecure foundation.

At the close of the war, it was admitted by Dr. Stevenson, then at the head of our common schools, that the system was strikingly deficient in many respects. For the last thirty years, the progress of ideas in relation to popular education had been very marked in the United States, but Kentucky had profited but little by it. Dr. Stevenson declared that our system was still substantially what it had been a quarter of a century ago. The number of children was increasing, but the State pro rata was decreasing.

In 1862, Kentucky had again been offered an additional donation from Congress. The State was given three hundred and thirty thousand acres of land, which was sold by Mr. Madison C. Johnson, as its agent, for one hundred and sixty-five thousand dollars. The amount received was invested so as to yield an annual income of ninety-nine hundred dollars. The low price obtained for the land was a disappointment to many of the friends of education. Other States had been more successful in the results obtained from like donations, and the sale of our land at the price named occasioned much dissatisfaction.

The object of this donation by Congress was the establishment and endowment of a State agricultural and mechanical college. The institution contemplated by the gift was located at Lexington, in 1865, as one of the departments of Kentucky University, but, as the agricultural college did not long rest in that connection, it was subsequently made a separate State institution. As a return for the annual endowment of ninety-nine hundred dollars received from the State, the Agricultural College is required to furnish free tuition to three pupils from each legislative district. It was claimed by Governor Blackburn, in one of his messages, that the Agricultural College had thus, in fact, become a part of the common-school system of the State. It has been aided by a small State tax levied in its behalf. This aid by State taxation to a college, as a part of our common-school system, is at war with the idea of a constitutional-school system, as interpreted by the revisers

of 1852, but accords with the views of the system entertained by Dr. Breckinridge and others, as already stated.

The great loss of property occasioned by the overthrow of slavery, accompanied by the increase of the number of children to be educated, had now produced a serious decrease in the income of the school fund. The system, after the close of the war, was not working as desired. Mr. Z. F. Smith had been elected to fill the office of State superintendent, as successor to Dr. Daniel Stevenson. Mr. Smith attributed this lack of successful operation to a want of sufficient means and certain defects in the existing organization of the counties. He insisted that our common-school system needed remodeling throughout on the basis of modern reforms. He urged that an additional tax of fifteen cents on the one hundred dollars was necessary as the basis of a vigorous system.

The proposition to increase the school tax from five to twenty cents on the one hundred dollars' worth of property was submitted to a vote of the people of the State, and carried by a majority of 24,677 votes. The superintendent then drafted a bill embodying his ideas of the needed reforms in our school system; but the Legislature rejected the enlarged plans and policies of reform as proposed by Mr. Smith, and adopted a bill perpetuating many of the features of the old law, with such changes as were deemed proper. The law thus enacted, notwithstanding its defects, was a great improvement on the old law.

The historian, Dr. Richard H. Collins, justly says that the material results of the reforms introduced by the efforts of Mr. Smith were great improvements in the quality of education given, in the character of teachers obtained, in the number of schools taught, in the amount of school fund distributed, and in the average attendance upon the schools.

Much advancement was also made under the succeeding administration of Dr. H. A. M. Henderson.

The remodeling of the law to suit the wants of the State, the organization of teachers' institutes, and other improvements, received much attention under his administration.

The difference of opinion between the head of our educational department and the legislative branch of our government, as illustrated in the case of Mr. Smith, has often been witnessed in the history of our common schools. One of the complaints of Dr. Breckinridge was that, after all his efforts for the creation and preservation of our common-school system, his cherished plans and ideas had been changed and materially interfered with by the Revised Statutes of 1852.

With the freedom of the negro, the education of the colored people resident in the State began to attract the attention of the people of Kentucky. The result of our legislative efforts in this direction is thus given by Governor Knott, in his message of 1884. By the act passed in 1874, the whole taxes, together with the fines and forfeitures collected by the State from its

colored people, were devoted to the education of colored children—not a cent collected from the colored people being required to pay the expenses of the State Government. From 1875 to 1882, the per capita accruing to each colored child amounted to from fifty to fifty-five cents. On the 6th of August, 1882, the voters of the State ratified an act of the Legislature equalizing the per capita of white and colored children. The following year the common per capita established was one dollar and thirty cents. A sufficient amount was taken from the white fund to equalize the two races.

The General Statutes of 1873 made important and valuable changes in our common-school law. The fundamental idea of State aid supplemented by district taxation, as developed in the Bullock law of 1838, is a striking feature of the General Statutes of 1873. This revision is justly regarded by Dr. Henderson as an advance upon all our previous statutes.

The revision of 1884 is a still greater approach to the goal desired. It contains some admirable provisions, on which the author would be gratified to comment, but the space at his command forbids.

Our system still has many defects. Some of these were pointed out in the report of Professor Joseph D. Pickett, our present State superintendent. A number of his suggestions were adopted by the Legislature of 1884. An able report from the Senate committee on education for that year contributed much to important changes in the law, and to the enhancement of the revenue going to the educational fund. The Senate committee seemed opposed to any increase of State taxation for educational purposes, and so stated in their report.

In his message of 1884, Governor Knott, in alluding to the educational condition of Kentucky, declared that we would look a long time for the golden age, when every child in the State would enjoy good schools at public expense, before it was realized at the present average of one dollar and forty cents per annum to the pupil, unless something was done to supplement it. He thought this could not be expected from State taxation, as he maintained that there was not another State in the Union which contributed such a large proportion of its revenues to the purposes of education.

Whether the State bonus would at present be sufficiently supplemented by district taxation in many parts of the State is a matter of serious doubt. If reliance is to be placed upon the historical facts of our system rather than upon ingenious speculations, then, so far as our limited experience has gone, the facts are against district taxation, as a sufficient aid to bring up our standard of education to the mark required by the demands of the age.

The history of district taxation, as a dependence for the system as it was developed in the laws of 1830-38 and '45, has already been given. It is proper now to add that the revisions of 1852 and 1864 omitted the right of local taxation. It was thus dropped from the Kentucky system for the period of twenty years. It was revived on a small scale in 1865. The

odious rate-bill system appeared somewhat later, in 1870, as a substitute for district taxation. It was not until the rate feature fell, under the severe blows of Mr. Z. F. Smith, that local district taxation, after a long sleep, again reappeared in the General Statutes of 1873.

To summarize the whole matter in a few words, district taxation failed in 1830; reappeared in 1838; was rejected in the revisions of 1845-52 and '64; was restored on a small scale in 1865; disappeared again in 1871, with the rate feature as a substitute; reappeared in 1873; again reappears in 1884, under the more practical form of county taxation, first suggested by Mr. Smith, as a necessary substitute for district taxation.

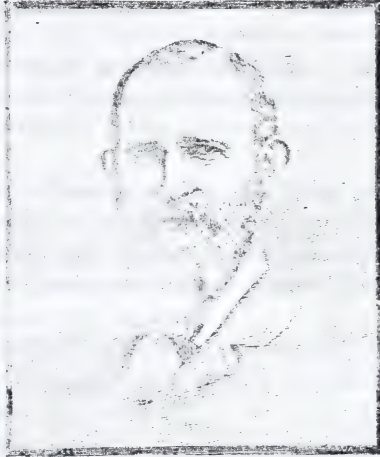
According to the report of Professor J. D. Pickett, the amount raised in Kentucky by district taxation and voluntary subscription is exceedingly small. The per capita from this source, in 1880, was seventy-nine cents. Nearly two-thirds of this amount were gathered in cities and towns, where it is more than probable that its payment is due to the operations of a corporate government, rather than to voluntary submission to taxation by a district vote of the people.

After forty years' trial of our system, with all the aid we have been able to get from district taxation, the practical result of the whole matter is that Kentucky still stands low on the list of illiteracy, as shown by the educational reports of the United States. In this respect she presents an example of a State not to be imitated, rather than one to be followed. As shown by the first message of Governor Knott, she furnishes to the masses of her children an education worth only one dollar and forty cents per annum, while most of our sister States furnish their children with an education of much greater value. Can the poor children of our State, laboring under these disadvantages, compete successfully with the children of those States, where the education given is worth so much more than that obtained in Kentucky? Can the poor children of the State, with an education only worth one dollar and forty cents per annum, be expected to compete successfully with the children of our wealthy citizens who sometimes give as much as two hundred or three hundred dollars per annum for the education of their sons? These are questions which Kentucky statesmanship has yet to meet and answer, in a manner more satisfactory than has hitherto been done.

When the worst is reached, State conventions have sometimes been the last hope and refuge for improvement in our schools. Two great popular conventions, one at Lexington and another at Frankfort, introduced the common-school system into Kentucky. Another convention of the scholars and educators of the State, assembled at the call of Dr. Breckinridge, in 1852, entered their solemn protest against some of the principles announced in the revision of 1852.

A large popular convention, called together by Judge Wm. M. Beckner, in 1884, gave a strong impulse to the cause of education in Kentucky. It not only aroused public sentiment upon the subject, but called attention

WILLIAM MORGAN BECKNER, of Winchester, was born in Nicholas county, June 19, 1841, of Scotch-Irish and English parents, who early removed from Virginia. His education was in the country schools of Bath and Fleming counties, and at Maysville Seminary. He spent some years in teaching, and read law under Judge E. C. Phister. He located, in 1865, at Winchester, where he has pursued the calling of the law and editing the Clark County *Democrat* almost constantly since, filling the office of county judge and several others in the meantime. In 1880, he was appointed one of three commissioners, by Governor Blackburn, to locate the site for a branch penitentiary, and to report a plan of building and system of government for the institution. The able report was written by Judge Beckner. In 1882, he was also appointed on the State Railroad



WILLIAM MORGAN BECKNER.

Commission, with W. B. Machen and D. Howard Smith. He has served some years on the Democratic State Committee; but it is in the work of education that Judge Beckner has most actively distinguished himself, especially of late years. In 1882, he delivered an address before the State Teachers' Association, ably pointing out the insufficiencies of the provisions of the common schools, and urging national aid. In 1883, he was mainly instrumental in calling together and organizing the State convention at Frankfort, to consider the educational wants of the State; and in September of the same year, calling the national convention at Louisville, of which he was president, in like interests, in which twenty-seven States were represented. Judge Beckner took much interest in, and advised upon, the work of redrafting the present school law of Kentucky, so much in advance of any preceding it. In June, 1885, he delivered the annual address for the literary societies of Berea College, where all sexes and colors are admitted on an equal footing. In September after, he read a paper before the Social Science Convention at Saratoga, New York. He was elected and sat as a delegate in the late constitutional convention.

to many important defects in the system. Some of the beneficial results of this movement are to be seen in the revision of 1884.

This meeting at Frankfort resulted in a larger inter-State convention at Louisville, in which many matters of vital importance to education in all parts of the country were considered.

An education worth only one dollar and forty cents, it is believed, will not satisfy the people of Kentucky. Only schools of the very lowest grade can be obtained for this amount. First-class schools should be furnished to the children of the State. The educational convention of Virginia was right when it said: "The public schools must be good; they must be emphatically colleges for the people. If they are not good enough for the rich, they are not fit for the poor. If made as good as the rich desire, wealthy citizens will find no reason to send their children from home for education."

The early plan of collegiate education adopted by Kentucky was the endowment by the State of one university. It was the settled conviction of some of our earliest statesmen that the endowment of more than one college in the State would be an injury to higher education. The grounds of this belief are well stated by Dr. Charles Caldwell, in his discourse on the genius and character of Dr. Holley. His position may be briefly, but imperfectly, stated, as follows:

First—To be in character and efficiency worthy of a State, a university must be supported by all the wealth of the Commonwealth. Divide these means and nothing great can be accomplished. Nothing distinguished can come from a dwarfish school. "Divide and be conquered" has been the banner motto of the greatest soldiers of the world.

Second—When a State is filled with a number of colleges, its scholars are as puny as the institutions they represent, and, to be educated, individuals must go abroad, or educate themselves.

Third—To endow and maintain more than one college produces sectional feelings and local jealousies. A ruinous compromise of interests will be the result, and the entire concern will run into confusion and end in failure.

The experiment of a well-endowed State university has never been thoroughly tried in Kentucky. Transylvania University was, for a short time, feebly aided by the State, and even then became the admiration and pride of the West. While Transylvania was allowed to decline for want of sufficient pecuniary aid, other colleges sprang up in different parts of the State, having the advantage of local partialities, and a widely-diffused religious zeal in their favor. The State university was girdled on all sides by rival institutions. Without a sufficient support from the Commonwealth, it could not stand the competition of younger institutions. After a short and checkered career, Transylvania University was transferred to one of the great religious denominations of the State. The story of its rise and fall is fraught with many lessons of value. What benefit will be reaped from these lessons in the future remains to be seen.

CHAPTER XXX.

The Physical Geography of Kentucky.

Position, area, and boundaries.
 Its surface.
 Within the Mississippi basin.
 Mountainous area.
 Elevations and depressions.
 Geographical and geological map.
 Professor Procter, State geologist.
 Geological explanations by colorings of map.
 Subterranean caverns and streams.
 Mammoth Cave.
 Two hundred miles of avenues.
 Major William J. Davis.
 Coal measures.
 Seven hundred miles of river boundaries and four thousand miles of river navigation.
 Climate medium and moderate.
 Meteorological characteristics.
 Classification of soils.
 Order of succession of rocks.
 Geological formations and strata.
 Mineral resources.
 Fourteen thousand square miles of coal-fields.
 More than in Pennsylvania or in England.
 Twenty thousand square miles of iron-ore.
 Other minerals and stone.
 Forest vegetation of Kentucky.
 Differs with geological changes.
 Native forests yet fifteen million acres of fine timber.
 The "Barrens" country.
 Products in tobacco, hemp, grain, etc.
 Grasses, fruits, and stock-raising.
 Its animals, historic and pre-historic.
 Birds and fishes.
 Archæology.
 Mound-builders and their remains.
 Rafinesque's early catalogue.

Progress of Medical Science and Literature in Kentucky.

Dr. Thomas Walker, first physician in Kentucky.
 First surgical operation.
 Dr. Ridgely's adventures and visit.
 Dr. Samuel Brown.
 First in America to vaccinate for small-pox, and at Lexington.
 First medical faculty of Transylvania University.
 Dr. Benjamin W. Dudley's renown.
 McDowell, the first ovariectomist in the world.
 James K. Polk and other patients.
 The galaxy of medical lights of early Kentucky not surpassed in any country.
 Inventions and skill of these.
 Dr. Walter Brashear, of Bardstown.
 Dr. McCreary, of Hartford, Kentucky.
 Dr. Alban Goldsmith, of Danville.
 Drs. Sutton, of Georgetown, and Bowman, of Harrodsburg.
 Dr. Henry Miller.
 Dr. William Gardner, of Woodsonville.
 Others of noteworthy fame.
 Medical institutions at Louisville.
 Dr. Charles Caldwell.
 Faculty of University of Louisville.
 Kentucky School of Medicine.
 Dr. Middleton Goldsmith.

History of Kentucky Jurisprudence.

Its First Period:

First Constitution and laws of England and Virginia.
 Contrasts then and now.
 First legislative enactments.
 Conflicting claimant laws.
 Mitigation of penalties for crimes.
 First penitentiary.
 Different courts.
 Few laws of protection or relief yet.

The Second Period:

The second Constitution of 1800.
 Progress in judicial and legislative reform.
 Incidents of enumeration.
 "Bob Johnson's law."
 Against duelling and deadly weapons.
 Era of banks.
 Federal and State decisions conflict.
 Commonwealth's Bank and its issues.
 Old and new courts.
 Amos Kendall's comment on new laws.
 Judge Bibb's opinion.
 Temperance legislation.
 State charities and corporations.

The Third Period:

Progress in education and internal improvements.
 Congressional aid bills vetoed.
 State omnibus improvement bill.
 Growth of pro-slavery sentiment.
 Constitution of 1849.
 Other legislation.
 Revised statutes by Turner, Nicholas, and Wickliffe.

The Fourth Period:

Growth of corporations.
 Material progress.
 The civil war era.
 Peculiar laws of this era.
 Amendments to the United States Constitution.
 Adjustment of laws to same.
 Rights conceded to colored citizens.
 Precedents and rulings of our courts.
 Malice and moral insanity.
 Dangers from corporations.
 Obscene literature.
 Empiricism.
 Defective revenue system.
 Protective and relief statutes.
 Different periods reflect the popular sentiment of their day.

Editors of Kentucky.

George D. Prentice.
 Walter N. Haldeman.
 Robert M. Kelly.
 Henry Watterson.
 Emmett G. Logan.

¹ *The Physical Geography of Kentucky—Position, Area, and Boundaries.*—

The State of Kentucky lies between the parallels of latitude $36^{\circ} 30'$ and $39^{\circ} 6'$ north of the equator, and between $82^{\circ} 2'$ and $89^{\circ} 40'$ longitude west from Greenwich, or 5° and $12^{\circ} 38'$ longitude west from Washington City.

The Ohio river forms its northern, north-western, and north-eastern boundary, and separates it from the States of Ohio, Indiana, and Illinois. A part of its north-eastern border is formed by the Big Sandy river, which separates it from West Virginia. Its south-eastern face is bounded by the Cumberland ranges of mountains. An arbitrary line nearly three hundred miles long separates it from Tennessee. The western boundary is formed by the Mississippi river, which divides it from Missouri.

The entire perimeter of the State is twelve hundred and forty-two miles, of which six hundred and forty-two extend along the Ohio, one hundred and twenty along the Big Sandy, one

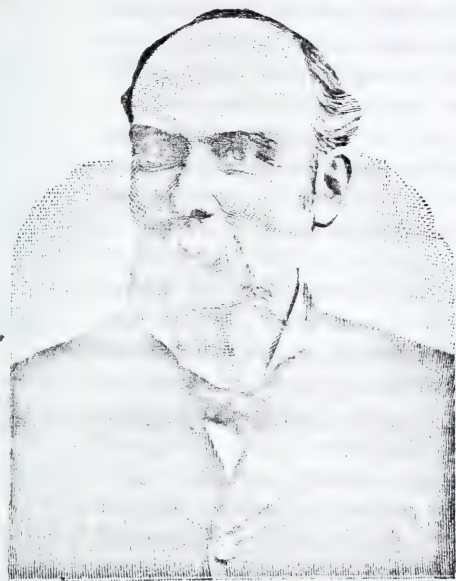


HON. JOHN R. PROCTER.

¹ Paper by William J. Davis, Louisville, Kentucky.

hundred and thirty along the Cumberland range, three hundred measure the Tennessee border, and fifty lie along the Mississippi. Its greatest length is four hundred and eleven miles; extreme breadth one hundred and seventy-

nine miles. Its area is about forty thousand square miles. Its outline may be likened to that of a roughly-hewn stone arrow-head.



WASLEY M. J. JAY'S.

Surface.—The whole of Kentucky lies within the Mississippi basin, occupying a position nearly central among the States that form its eastern slope, and within the special division of the valley of the Ohio, of which it forms the southern slope. With the exception of its mountainous area, containing not more than four thousand square miles, the State is a gently-inclined tableland, sloping from the south-east toward the north-west. The Cumberland ranges of mountains rear their heads from two thousand to twenty-

four hundred feet above the level of the sea, but few of the ridges reach more than seven hundred feet above the valley bottoms. Along the Mississippi, the average height above the sea is about three hundred feet. The surface of this tilted plateau is comparatively little broken, except the deep-cutting rivers, whose banks are often several hundred feet high.

The territory lying on both sides of the Louisville and Nashville railroad, south of Elizabethtown, has its surface marked by broad bowl-shaped depressions, or sink-holes, into which mouths of caverns frequently open. Many of these caves intersect one another and ramify like confluent rivers. Their floors are often dry, and their avenues and chambers so spacious that they may be explored without difficulty. Some idea of their vast extent may be formed when it is said that the "Mammoth Cave" is a system of galleries, avenues and chambers, some of them sixty feet wide and as many high, aggregating two hundred miles in length; while in Edmonson county, in which it occurs, more than five hundred separate openings penetrate the earth. Adventurous parties from all parts of the world visit this wonderful region to explore its cavern-ways. Probably many thousand miles of these passages are accessible. Their magnitude impresses the minds of explorers with awe, while stalagmitic masses of carbonate of lime and pendent stalactites of the same mineral compound, and efflorescent ceilings of gypsum, reflecting from their crystalline surfaces scintillant gleams of torches, or of the lights of numerous lanterns, present a scene of surpassing beauty and

sublimity. "Mammoth Cave" justly ranks as one of the greatest natural curiosities.

In the eastern and south-eastern portions of the State, and lying upon both sides of the lower half of Green river, are situated the "coal measures," or carboniferous limestones, which areas are cut into frequent narrow valleys, with steep ridges on each side.

That part of the surface indicated as "tertiary" is more properly the quaternary formation. It lies wholly west of the Tennessee river, and is comparatively level, with low-banked rivers, which, when swollen by freshets, overflow the adjacent country.

Rivers.—The river boundary of Kentucky is seven hundred and thirty-three miles. Within its limits are more than four thousand miles of rivers, mostly navigable throughout the year. Chief among these is the Ohio, called by the early French explorers of the Mississippi valley "La Belle Riviere," a stately, beautiful stream, navigable nearly the year around by the largest steamboats, and forming a great highway for the carrying trade of the States through which it flows. The only natural obstacle to its free navigation at low water has been found in the rapids, improperly called "the Falls," at Louisville, but boats may pass around this impediment through a lock canal, mainly constructed and now operated by the Federal Government. The Big Sandy, a turbid stream, whose name is derived from the large amount of moving sand washed from the sand-rocks which compose the beds of its tributaries; the Licking, fourth in size; the Kentucky, second of the Kentucky streams in volume and first in length, with four hundred miles of front, flowing through a region of picturesque beauty and abounding in valuable mineral products, such as coal, iron ore, salt, fire-clay, and hydraulic cement; Green river, one-third larger than the Kentucky, flowing through extensive coal-fields, rich in coals of varied quality and in iron-ores; the Cumberland, whose upper half and lower sixth courses through Kentucky, cutting through vast coal-fields and wide-spreading forest tracts; the Tennessee, which, coursing through South-western Kentucky, debouches into the majestic Ohio; the mighty Mississippi, washing the extreme western border—all these, with their tributaries, go to form a river system equaled by few States and surpassed by none of like area.

Climate.—The numerous rivers and large areas of forests render the atmosphere humid, and thus moderate the winter's cold and the summer's heat. The mean annual temperature is about fifty-five degrees Fahrenheit, the thermometer taking a usual range of a hundred degrees, although rarely marking as high as ninety-five degrees in midsummer, but the changes of temperature are often sudden and violent, putting the constitutions of feeble folk to a severe test. Notwithstanding, the adult population shows a large proportion of robust men and women, endowed with great physical vigor and health, and surpassing in size any other peoples of America or Europe. The prevalent winds blow from the south and south-west. Winds from the

west are usually cloud-bearing. North-west winds bring the "cold waves" and the bitter "blizzards" of midwinter; but tornadoes or cyclonic blasts have rarely invaded the domain of this State.

Precipitation of moisture occurs with well-distributed regularity throughout the year, and agriculture is favored by seasonable rains and snows. The average annual rain-fall is about sixty inches in the Cumberland ranges and forty-five inches along the Ohio river. The number of days of sunshine, however, is relatively large.

Epidemic diseases have never proved destructive, and, although many forms of acute diseases of malarial origin occur, only in a limited territory, where the elevation above the sea is less than three hundred and fifty feet, and where the soils are alluvial and relatively non-porous, have miasmatic fevers ever prevailed. The number of persons who attain to great age in the full enjoyment of all their faculties is remarkable.

Soils.—Inasmuch as soils are primarily derived from the disintegration of rocks, it would seem to be not inappropriate to give here a brief description of rock formation and decomposition, with a sketch of the order of succession of these several formations and their occurrence in Kentucky. Part of a carefully and ably-prepared article on this subject is here transcribed:

¹"Geologists divide rocks into three classes—first, sedimentary rocks, or stratified limestones and sandstones; second, metamorphic rocks, whose originally-laminated structure has been somewhat changed by the action of hot water; third, igneous rocks, whose primitive structure has been totally transformed under the melting influences of fervid heat.

"Of the last class, lava, trap, pumice, tufa, and other scoriaceous materials in a molten state, ashes, cinders, etc., thrown up by local volcanic outbursts and afterward consolidated, are common examples. No rocks of igneous origin occur in Kentucky, or, indeed, are met with in the Mississippi valley. Although it might prove interesting to describe these and to show how the different energetic forms of igneous agency, by raising land areas and lowering ocean floors, tend to wrinkle the earth's face more and more, and thus enlarge the surfaces of continents and increase their elevation, while, on the other hand, atmospheric forces are constantly cutting down the continents and filling up the seas, we must pass on after making one remark: To whatever immediate cause volcanoes and earthquakes may be attributed, their action is confined within comparatively-limited areas. Earthquakes produce cracks and fissures; volcanic outbursts erect single cone-shaped peaks. Mountain chains, sometimes ridging the earth's surface in lines hardly broken for ten thousand miles, like the American Cordilleras, can not be produced by an inner pent-up force acting outwardly, but are the effects of the slow, secular cooling of the earth's interior and its consequent contraction along radial lines converging toward the center. Observe that this contraction must compress surface matter horizontally, and, since a spherical

¹ Major William J. Davis in *Farmers' Almanac*, 1883.

segment containing a given quantity of matter can not be squeezed into lesser bulk and retain its form, and because the form must change at the surface, we have the softer and weaker parts of the mass giving away as they are pushed out of place by the more rigid portions, and protruding far beyond the common level. You will have no difficulty in understanding this when I tell you that along certain lines of sea-coast there may be segregations of sand or mud to the depth of many thousand feet, and that an inspection of geological maps will show conclusively that mountain chains trend parallel with the ancient coast lines of gradually-receding seas. Let us note further that this work is done in no indecent haste, as is that of earthquakes and volcanoes, but so slowly as to be imperceptible to generation after generation of men living near the theater of action; in truth, many thousand years pass between the beginning and the end, as shown in the grand chain, counting its length by circumferential degrees and numbering its breadth by leagues.

"If a plastic mass of mud, sand, and water stretches along the ocean shore for a great distance, and lies along the bottom far out from land to the depth of ten, twenty, or thirty thousand feet, two or three miles below the upper layers, the superincumbent pressure would boil and seethe the mass and metamorphose its laminated form as if a Titanic hand had stirred its depths, and, as the mass slowly yields to the horizontal squeeze we have already alluded to, this metamorphosed portion, rising with the rest, but remaining always under it, when the whole protruding mass, evaporating and cooling by conduction, should have become solidified, would form the axis or backbone of the chain. This is true—the axial interior of every mountain chain is metamorphic or granitic rock.

"We have said that the chain may be many thousand miles long and several hundred miles wide. It is not often a single ridge or continuous elevated plateau but is longitudinally divided by great valleys into ranges more or less parallel. The ranges also are divided into ridges by smaller valleys. This is the primitive form of the chain when first squeezed up, but after the lapse of ages, during which it is exposed to rain and wind, frost and sunshine, the ridges are divided transversely, and peaks and cross valleys serrate the linear crests. Atmospheric waters penetrate the fissures and pores of the rocks, frost and sunshine break off great masses and crumble them into atoms, rains descending run from the crests in furrows, the rills trickle along these furrows, and many of them uniting deepen their beds into gullies, and these joining form cañons, and these coming together make valleys through which the rivers flow onward to the sea. The powdered-rock *debris*, more or less fine, is borne along by these waters as sediment and distributed by them in their course. What is carried to the seas sinks, in time, to the bottom and is spread over it, the coarser particles settling first, then the finer, and so on with intermissions, so that the sediments are assorted in several layers of greater or less thickness. The skeletons of dead marine

animals and the solid parts of sea-plants thickly bestrew the floor and are slowly covered by the silt. These are succeeded by other bones and shells, leaves and stems, which in turn are buried under the slime and sand slowly precipitated. Layer after layer, each entombing organic remains, thus occurs, and, solidifying and rising above the level of the waters, offers to the forces of the atmosphere the materials for more rock-making. All rocks have been formed in this way. The oldest outcropping rocks bear testimony that they have been formed of the materials of pre-existing rocks.

"It is plain that, since rocks are thus derived, it will happen that strata and groups of strata widely separated vertically will closely resemble, because they will often contain in similar proportions the same materials. Hence, if these are widely separated geographically, an examination of their lithological structure or a chemical analysis of their materials would discover

ORDER OF SUCCESSION OF ROCKS. no difference in age, and would lead to

AGE.	FORMATION.	GREATEST EXPOSURE IN NORTH AMERICA
Psychozoic, or Age of Man.	Recent.	4,000 feet.
	Quaternary.	
Cenozoic, or Recent Age.	Pliocene.	1,200 feet.
	Miocene.	
	Eocene.	
	Cretaceous.	
Mesozoic, or Middle Age.	Jurassic.	24,100 feet.
	Triassic.	
	Permian.	
	Carboniferous.	
	Subcarboniferous.	
Palæozoic, or Ancient Age.	Devonian.	15,250 feet.
	Upper Silurian, 8,000 ft.	56,000 feet.
	Lower Silurian, 48,000 ft.	
Archæan, or Earliest Age.	Huronian.	52,750 feet.
	Laurentian.	

the conclusion that such apparently similar rocks were synchronously formed.

The palæontologist—he who has studied the buried bones of corals, worms, and fishes, the fossil shells of urchins, trilobites, snails, and mussels, the fibrous stems and veined leaves of fucoids and sea grasses—can alone settle this question of the order of occurrence of strata and their geological times.

"The science of geology concerns the history of the earth developing age after age, under the influence of mechanical and chemical agencies, and of the living things that once have populated it. To constitute a science, knowledge must have been formulated and system-

atized. Homogeneous layers of rock in any one locality would naturally be grouped together in strata, homogeneous strata would be joined in groups, groups would be comprised in formations, several formations classed together would make ages, and all would be placed in ascending serial order. This could be done with little trouble and labor were vertical sections to be seen many thousand feet high, but when a small outcrop takes place here and a meager exposure there, it is not so easy. Chemists, mineralogists, lithologists, and stratigraphists have done good work in this direction, but they have also heaped confusion upon this department of the science, from which the palæontologists are gradually extricating it. The table above shows the order of occurrence in an ascending series. I omit the subdivision of groups. Only in the mountains that border the Mississippi valley or in insulated spots do the granitic rocks of the Archæan Age outcrop. These rocks are

largely metalliferous. Decomposing, they make argillacious soils stiff, usually watery, and containing no lime. The formations take their name from the Laurentine mountains and Lake Huron, where the rocks are best exposed.

“Limestones and sandstones make up the formations of the Palæozoic Age.

“The Silurian formation, so named from *Silures*, the Latin designation of the inhabitants of Wales, by Sir R. Murchison, who first described these rocks as characteristic of Wales, is divided into lower and upper. There is no reason why these rocks should be associated together under one name, since they differ essentially in lithological character and in fossil remains. While good building and paving limestones occur in the lower Silurian, the rocks are generally soft, and crumble rapidly on exposure. Trees strike their roots deep into the incoherent mass and are vivified with luxuriant beauty. The rapidly-disintegrating rock, succumbing to atmospheric vicissitudes, makes a porous soil, light as vegetable mould and rich in lime, phosphates, carbonates, and silicates. These are the ‘bluegrass’ lands of the Mississippi valley, where the finest breeds of horses and cattle are raised, where hemp, tobacco, and all the cereals are grown most abundantly. The superficies of a lower silurian region is undulating or thickly interspersed with high conical hills.

“The upper silurian rocks, containing often micaceous and aluminous elements, are usually converted into moist clays, fruitful under cultivation, but not rivaling the soils of the lower silurian. The river banks in this formation are generally precipitous bluffs, the sides of glens are steep, but the upper country is a level, arable plateau. Such falls as those of Niagara are possible only to rivers that cut through these rocks.

“The devonian clays, rich in lime and organic remains, offer soils superior generally to those of the upper silurian, save where they are covered with decomposed shale that separates this from the superincumbent carboniferous rocks. The stiff, light-colored clays derived from this shale have a strong body, but are deficient in lime and are soggy. If thoroughly drained and tilled, they will produce well, especially if, furthermore, they are manured with land-plaster, will they yield the largest returns of clover and timothy hay. The surface of the devonian formation is characterized by low, broad-based, round-topped hills, which, unless set in deep-rooted grasses or carefully tilled, will be furrowed with gullies ever widening and deepening. The term ‘Devonian’ is derived from Devonshire, England, where these rocks were first described.

“The carboniferous or coal-bearing limestones afford a great diversity of soils, but the conglomerate, or sandstones cementing pebbles together, are the most unproductive. Extensive sandstones intercolate the fossiliferous limestones, and, of course, need vegetable mould and barn-yard manures and phosphates. But the limestones that underlie the coal measures produce

soils that nearly, if not quite, equal the bluegrass soils of the lower Silurian. While not producing bluegrass like those soils, they yield larger crops of tobacco, maize, the smaller grains, and fruits.

"The quaternary is an ancient alluvium transported from the place of origin and deposited as a sediment when the water retired. No distinctive traits mark it. It is comparatively infertile.

"Recent soils are those formed *in situ* from the country bed-rock, as we have said, or are late alluvial deposits. The latter may be derived from diverse rocks, and may in themselves possess all the virtues and all the foibles of their ancestry. Wonderfully productive for a few seasons after their deposit, they soon wear out and yield but moderate harvests under good cultivation."¹

Mineral Resources.—The rich and abundant deposits of coal and iron are the most important of the economic mineral resources of Kentucky. The eastern coal area, a part of the great Appalachian system, comprising bituminous, cannel, and splint coals, the latter admirably adapted to iron and steel-making, covers about ten thousand square miles. The western coal-measures, an extension of the Illinois field, comprise nearly four thousand square miles. The iron-ore deposits are of good quality and widely distributed; it may be safely assumed that the iron districts cover twenty thousand square miles, occurring profusely in the subcarboniferous and carboniferous limestones, often the strata of ore being in juxtaposition with beds of coal, which can be employed in their reduction.

Galena has been found in strata of the lower silurian and subcarboniferous limestones in veins of limited extent, but has not yet been successfully worked.

Good building stones are procured from sandstones and öolitic limestones of the subcarboniferous formation, and from the silurian limestones. Sulphate of baryta, fluor-spar, saltpeter, gypsum, and selenite, fire and pottery clays, occur in more or less abundance. Springs impregnated with salt here and there exist, and salt brine is obtained from wells in the eastern coal district, and in the subcarboniferous rocks in the western part of the State. Petroleum has been obtained by boring wherever the upper devonian shales are overlaid by thick strata of subcarboniferous sand-rocks, and "natural gas" may be procured by boring in similar areas.

Vegetation.—The distribution of the forests especially illustrates the peculiarity of the soils of Kentucky. The lower silurian soils produce the sugar maple, the tulip tree, blue ash, black walnut, hickory, elm, and honey locust. Extensive forests of beech, oak, water maple, and yellow poplar, characterize the upper silurian and devonian belt, and wild cherry and black walnut occur sparsely. The rich, well-drained upper lands of the subcarboniferous limestones sustain magnificent forests of blue ash and black walnut. On the upper sandstone soils of the subcarboniferous formation

¹ Major William J. Davis, in *Farmers' Almanac*, 1883.

are six or seven species of oak, while in the valleys the tulip tree and the sweet gum grow; limited areas of pine are found in the more mountainous regions. Almost the entire carboniferous district of Eastern Kentucky is covered with primeval forests of walnut, oak, ash, hickory, wild cherry, and other timbers of great commercial value. In the swamps and bottom lands of the quaternary formation, the most common forest tree is the cypress; on the banks of streams the cottonwood flourishes; elsewhere the pecan and catalpa abound. Kentucky, in area of woodland, is exceeded by only three States. The native forests yet cover fifteen million acres of hill and lowland.

¹ "When the State was first settled by the whites, there was a tract of about seven thousand square miles, lying chiefly between the eighty-fifth and eighty-seventh meridians, embracing the subcarboniferous formation, which was open prairie, covered with rank grass five or six feet high, and having no trees, except along the streams. When the land was occupied, this region sprang up in timber, and is now densely wooded wherever it is not under cultivation. The name of '*The Barrens*,' given to it by the first settlers, still attaches to this portion of Kentucky. The former absence of trees over this tract has been attributed to destructive wildfires which used to sweep over the whole country, and which, it was supposed, were set by Indians every fall to destroy animals and noxious serpents; but it is more probable that the absence of timber was due to the luxuriant growth of grass which took exclusive possession of the soil."

Despite the fact that Kentucky has resources of coal and iron that exceed those of Great Britain, or of Pennsylvania, it is susceptible of a greater variety of production than any other State. It produces nearly one-half of all the tobacco raised in the United States, and more than half of all the hemp; in the production of cereals, it ranks among the highest. With only about eight million acres in cultivation, in the value of agricultural products it ranks eighth among the States of the Union.

The famous bluegrass flourishes in the wooded pasture lands of the lower silurian limestones. Hemp, tobacco, and grains of highly-nutritive quality, are largely grown also; it is in this well-watered region, and nowhere else, except in a limited similar territory of Tennessee, that the celebrated hand-made, sour-mash, copper-distilled Bourbon whisky is made. Timothy, clover, and other hay-making grasses, tobacco, wheat, maize, potatoes, oats, rye, barley, leguminous and other vegetables are produced largely all over the State. The common wild fruits are the nuts of the hickory, walnut, beech, and hazel, plums, grapes, blackberries, strawberries, and pawpaws. Along the rivers and lines of railroad, fruits are largely cultivated, such as apples, pears, plums, cherries, peaches, strawberries, raspberries, and currants. Cultivated grapes, owing to the humidity of the climate, thrive only in few places: but in the sandy soils of a portion of

¹ Geography of Kentucky, by William J. Davis, *ante cit.*

the subcarboniferous hills wild grapevines entangle the forests of oak, and it is more than likely that improved varieties of grapes engrafted on these hardy native stocks would yield a grateful return to the husbandman's care.

Animals.—All the rock strata of Kentucky are fossiliferous; the remains of marine protozoa, radiates, mollusks, arthropods, and anarthropods, that lived in ancient silurian seas; those of their descendants, of varying forms, together with ganoids and other primeval fish, that habited devonian oceans; the exuviae of their multiplied progeny, many of them with changed organs and added functions, surviving myriads of years afterward in the depths of seas, upon whose shores, among gigantic ferns and towering reeds and clinging mosses disported archetypal reptiles, are found entombed in the solid limestones, or imbedded in the clays derived from argillaceous rocks, some of them as perfect in all structural details as they were on the day they first lay dead in the ooze on the sea-floor.

In the swampy salt licks an immense number of bones have been found. Year after year, for many thousand years, herbivorous animals visited these licks to procure the salt they needed. Buried here in the "recent" soils, are the remains of deer and bison; and below these, in the older quaternary, lie fossil skeletons of the mastodon and mammoth elephants, the elk, and a species of musk-ox.

There is no evidence that man occupied this territory contemporaneously with the elephant; but before his advancing footsteps have retired to remoter fastnesses and fields the musk-ox, the elk, and the bison, while other wild animals, such as the bear, the wolf, the panther, the deer, the wildcat, common enough one hundred years ago, are now rarely seen.

Birds and reptiles, such as are common to the eastern slope of the Mississippi valley, abound. Insects injurious to vegetation, are happily few. Fish are not found plentifully enough in our rivers, and the success of a commission to stock the streams with food fish has been hoped for until now, the work having just been discontinued by the Legislature sitting in Frankfort. The translucent eyeless fish and crawfish of Kentucky caves, are peculiar to this region.

Kentucky is pre-eminently a stock and cattle-producing State. The thoroughbred horses, beef, and milch-cattle raised here, are exported to all parts of the United States and to Europe. Its mules supply the Southern markets. Hogs and sheep are raised to a considerable extent, but the latter industry is seriously interfered with, if not rendered generally unprofitable, because of the vast number of sheep annually killed by the nine hundred thousand untaxed curs, and other dogs of low degree, that infest the State, a larger species of very costly vermin.

Archæology.—In many parts of Kentucky are found vestiges of a former people, in the form of embankments and mounds made of earth or stones, or a combination of these two. Of the history of these people nothing is actually known, but much romantic conjecture has been indulged concern-

ing them. They are called "mound-builders," from their relics, and are spoken of as "mysterious," "wonderful," "remarkable," "highly civilized," "an agricultural people," "a warlike people," "progressive in art," "sun-worshippers," etc.

A list of "the ancient monuments hitherto discovered in this State" is appended, which has a certain value now, although all traces of many of the "monuments" have been obliterated.

1 RAFINESQUE'S CATALOGUE OF ANCIENT MONUMENTS IN KENTUCKY.

COUNTIES, ETC., (<i>i. e.</i> Counties as in 1826.)	No. of Sites.	No. of Mons.
In Adair, on the Cumberland river	1	3
Bath, on the waters of Licking river	1	3
Boone, on the Ohio, a town near Burlington, etc.	4	8
Bourbon, a circus of one thousand four hundred and fifty feet, on Licking river, a town, polygon, of four thousand six hundred and seventy-five feet, on Stoner's creek, etc.	5	46
Bracken, great battle-ground, etc., near Augusta, iron rings and a copper medal with unknown letters, etc.	4	0
Caldwell, a stone fort on Tradewater river	1	1
Calloway, a mound fifteen feet high, on Blood river	1	1
Campbell, near Covington, and at Big Bone Lick	2	4
Christian, near Hopkinsville	5	12
Clarke, near Winchester, Boonesboro	5	18
Clay, near Manchester	6	6
Fayette, on North Elkhorn, a beautiful circus, a dromus, etc.; on South Elkhorn, near Lexington, a polygon town, L, several squares, mounds, graves, etc.; nine East Indian shells found in the ground, etc.	15	36
Gallatin, at the mouth of the Kentucky river	1	1
Garrard, principally mounds and small circus on Paint creek, Sugar creek, etc.	3	12
Greenup, fine remains opposite the mouth of the Scioto	1	3
Harlan, on the Cumberland river, near its source	2	5
Hart, mounds near Green river, etc., mummies in caves	2	7
Harrison, a circus near Cynthiana, many mounds, round, elliptical, or ditched, sixteen, twenty, twenty-five, and thirty feet high	5	16
Hickman, a fine teocalli on the Mississippi river, below the iron-banks, four hundred and fifty feet long, ten high, only thirty wide	1	1
Jefferson, on the Ohio, near Louisville	4	1
Jessamine, mounds, graves, embankments	4	10
Knox, on the Cumberland river, and near Barboursville	3	7
Lewis, on the Ohio	1	1
Lincoln, on Dick's river, and near Wilmington	2	1
Livingston, an octagon, of two thousand eight hundred and fifty-two feet, on Hurricane creek, etc., mouth of the Cumberland	3	14
Logan, towns and mounds on Muddy river, etc.; a silver medal found in a mound	10	42
Madison, near the Kentucky, etc., mounds	3	7

CATALOGUE OF ANCIENT MONUMENTS. (Continued.)

	No. of Sites.	No. of Mons.
Mason, near Washington, a small teocalli	2	2
McCracken, on the Ohio, a fine square teocalli, of twelve hundred feet, and fourteen feet high, on the Mississippi, five rows of mounds, etc	3	35
Mercer, a fort on Dick's river; several remains on Salt river, etc	6	12
Montgomery, squares, hexagons, polygons, etc., on Somerset and Buck creek, many high, round, elliptical, or ditched mounds; a fine circus or circu- lar temple, etc	10	48
Pendleton, at the fork of Licking river	1	1
Perry, a long dromus, near Hazard	1	1
Pulaski, stone mounds, on Pitman and Buck creeks	2	7
Rockcastle, a stone grave two hundred feet long, five wide, three high, near Mount Vernon	1	1
Scott, a ditched town near Georgetown, on the South Elkhorn, a square on Dry run, etc	5	12
Shelby, near Shelbyville, and south of it	2	2
Trigg, a walled town, seven thousand five hundred feet in circumference, at Canton, on the Cumberland, inclosing several large mounds and square teocalli, one hundred and fifty feet long, ninety wide, twenty-two high. Many mounds on Cumberland, Little river, Cadiz, etc	5	24
Warren, a ditched town, near Bowling Green, inclosing five houses, two teocallis, mounds, etc	3	16
Whitley, a town on the Cumberland, above Williamsburg, with twenty houses, and a teocalli three hundred and sixty feet long, one hundred and fifty wide, twelve high. Remains of towns, with houses, on the waters of Laurel river and Watts' creek	5	66
Woodford, a fine octagon teocalli of twelve hundred feet, and eight high. A town of twenty-seven hundred feet, on South Elkhorn, a square on Clear creek, etc	6	12
Total	148	505

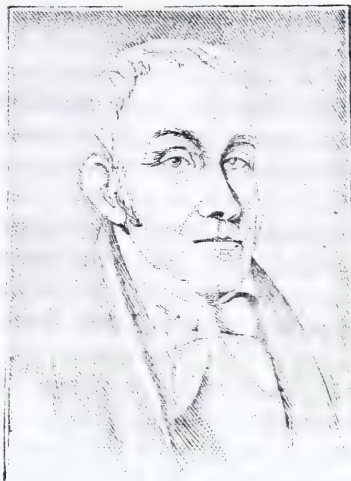
Progress of Medical Science and Literature.—It is probable Dr. Thomas Walker, of Virginia, was the first physician who ever visited Kentucky. In 1745, he came and negotiated treaties with the Indian tribes for the establishment of a colony, which was announced in Washington's journal (1754) as Walker's settlement on the Cumberland, accompanied by a map, dated 1750. Some time just before 1770, Dr. John Connolly, of Pittsburgh, visited the Falls of the Ohio, and three years later, in company with Captain Thomas Bullitt, patented the land on which Louisville now stands. But little is known of the professional performances of either Walker or Connolly, except the fact that they were both men of superior intelligence, and of far more than average cultivation. They were both noted as enterprising business men rather than great practitioners of medicine. In a "History of the Medical Literature of Kentucky,"¹ Dr. Lunsford P. Vandell (the elder) says: "The first surgical operation ever performed in Kentucky by a white man occurred in 1767." Colonel James Smith, in that year, accompanied

¹ Transactions of the Kentucky State Medical Society, 1874.

by his black servant, Jamie, traveled from the mouth of the Tennessee river across the country to Carolina, now Tennessee. On their way, Colonel Smith stepped upon a projecting fragment of cane, which pierced his foot, and was broken off on a level with the skin. Swelling quickly came on, causing the flesh to rise above the end of the cane. Having no other instruments than a knife, a moccasin awl, and a pair of bullet-molds, the colonel directed his servant to seize the piece of cane with the bullet-molds, while he raised the skin with the awl and cut the flesh away from around the piece of cane, and, with the assistance of Jamie, the foreign body was drawn out. Colonel Smith then treated the wound with the bruised bark from the root of a lind tree, and subsequently by poultices made of the same material, using the mosses of the old logs in the forest, which he secured with strips of elm bark, as a dressing.

Dr. Frederick Ridgely, a favorite pupil of Dr. Rush, was sent from Philadelphia early in 1779, as surgeon to a vessel sailing with letters of marque and reprisal off the coast of Virginia. This vessel was chased into the Chesapeake bay by a British man of war. As the ship's colors were struck to the enemy, Dr. Ridgely leaped overboard, and narrowly escaped capture by swimming two miles to the shore. He was at once thereafter appointed an officer in the medical department of the Colonial army. A few months later, he resigned his commission, and settled, in 1790, at Lexington, where he speedily attained a leading position as a master of the healing art. From Lexington he was frequently called, in the capacity of surgeon, to accompany militia in their expeditions against the Indians. He was appointed surgeon-general to the army of "Mad Anthony Wayne," returning finally to Lexington, where he took part in the organization of the first medical college established in the West. Dr. Ridgely was a frequent contributor to the *American Medical Repertory*, published at Philadelphia. He was the intimate friend of Dr. Samuel Brown, also of Lexington. At the organization of the medical department of Transylvania University, in 1799, Brown and Ridgely were the first professors. Ridgely, in that year, delivered a course of lectures to a small class, and, as the organization of the faculty had not been completed, no further attempts at teaching were made. Dr. Samuel Brown, like his colleague, Ridgely, was a surgeon of great ability and large experience. These two gentlemen added greatly to the growth and popularity of Lexington by their renown as surgeons. They attracted patients from the remote settlements on the frontier, and were both frequent contributors to the medical literature of that time. The cases reported by these gentlemen were numerous, interesting, carefully observed, and ably reported. Dr. Brown was a student at the University of Edinburgh with Hosack, Davidge, Ephraim McDowell, and Brockenborough, of Virginia. Hosack became famous as a professor in the College of Physicians and Surgeons, at New York; Davidge laid the foundation of the University of Maryland; Brown was one of the first professors in Tran-

sylvania University, at Lexington, while McDowell achieved immortal fame in surgery as the father of ovariectomy. Strong rivalry in the practice of medicine at Lexington, between Brown and Ridgely, and Fishback and Pindell, had much to do with the difficulties attending the efforts of the two former to establish the medical school. In 1798, Jenner made public his great discovery of the protective powers of vaccination. Dr. Brown, of Lexington, was his first imitator on this continent. Within three years from the date of Jenner's first publication, and before the experiment had been tried elsewhere in this country, Brown had already vaccinated successfully more than five hundred people at Lexington.



DR. EPHRAIM M'DOWELL.

In 1817, Transylvania University being formally organized, with such men as Daniel Drake, Benjamin W. Dudley, Joseph Buchanan, Overton, and Blythe, a full course of lectures were delivered to a class of twenty, one of whom, John Lawson McCullough, having passed a satisfactory examination, was, at the end of the term, formally admitted to the degree of doctor of medicine. During the winter of 1817-18, bitter jealousies existing in the profession at Lexington, the faculty was dissolved, Drake returning to Cincinnati, and Overton settling at Nashville. About the close of the year 1818, the Rev. Horace Holley having been chosen president of the university, both the academical and medical departments acquired new life. In the year 1819, a medical faculty, embracing the gifted scholar, Charles Caldwell, Samuel Brown, Dudley, Richardson, and Blythe, was organized. In the fall of that year began the brilliant career of Transylvania University as an educational institution. Lexington was then a more important city than Cincinnati. It had better schools; it was more popular and more widely known. The very best people of every section gathered at Lexington to learn the arts and sciences, and with them came the afflicted. At this time, Dr. Benjamin W. Dudley, having just returned from Europe, began to astonish the people of the West, and finally the world, by the brilliant results of his operations, especially in lithotomy.

In 1795, fresh from the University of Edinburgh, came a young physician, named Ephraim McDowell, who settled at Danville, an aristocratic little colony not far from Lexington. Here he displayed such remarkable talents as a physician and surgeon that he soon divided honors with the great men at Lexington: and while at the latter point the enterprising founders of what was soon to be the first great medical school of the West were busying themselves with schemes for the permanent establishment of Tran-

sylvania University, McDowell, at Danville, laid the foundation for a great revolution in the *ars chirurgica*. A Mrs. Crawford residing on Green river, sixty-five miles south of Danville, had an enormous tumor of the abdomen, which, continuing to grow, greatly alarmed her. She sent for Dr. McDowell, who visited her bedside, and, after careful examination, he promised to perform the experiment of attempting to extirpate the tumor, should she be willing to visit his home at Danville. She did so, with the full understanding that the experiment might end in the sudden termination of her life. In December, 1809, the operation was performed; and, to her infinite delight, as well as the joy and renown of the experimenter, recovery followed. She enjoyed comfortable health for a period of thirty-two years after this operation, and died, at length, in the seventy-ninth year of her age. Being encouraged by the result of this first operation, similar cases were subjected to extirpation, and in 1817, in the Philadelphia *Eclectic Repertory and Analytical Review*, in an article of less than three octavo pages, entitled "Three Cases of Extirpation of Diseased Ovaria," the first publication of ovariotomy was made to the world. In 1827, Dr. Johnson, editor of the London *Medico-Chirurgical Review*, after announcing the results of five cases, four of whom had recovered, says: "There were circumstances in the narrative of some of the first cases that raised misgivings in our minds, for which uncharitableness we ask pardon of God and of Dr. Ephraim McDowell, of Danville."

McDowell was a man of fine personal presence, and, although bold to the extent of originality in surgery, he was modest even to timidity. It is not known how many times he performed ovariotomy, yet it is certain he repeated it so often as to thoroughly establish it, not only as a legitimate operation in surgery, but placed it high in the list of the great triumphs of science over disease. This great ovariotomist had become so widely known that people flocked to him at Danville from every part of the country. In the autumn of 1812, he performed lithotomy on a youth of seventeen years, from Maury county, Tennessee. This youth was James K. Polk, afterward president of the United States. So happy was he, that he carried the calculus, which McDowell had taken from him, to his home in Tennessee, and exhibited it to his friends. This same calculus was exhibited by Professor Samuel D. Gross to the Kentucky State Medical Society, at Louisville, on Wednesday, October 31, 1852. In 1852, lithotomy had been done by Dr. B. W. Dudley two hundred and seven times; Ephraim McDowell, thirty-two times; A. G. Smith (afterward known as A. Goldsmith), fifty times; W. Gardner, fourteen times; J. M. Bush, six times; John Shackelford, four times; Henry Miller, twice; John Hardin, five times; S. B. Richardson, twice; John C. Richardson, once; John Craige, twice; W. H. Donne, once; Walter Brashear, unknown; E. L. Dudley, once; D. W. Vandell, four times; L. P. Vandell, four times; S. D. Gross, thirty times. It was known that Dr. Brashear, of Bardstown, had performed the operation of lithotomy a consid-

erable number of times, yet at the time of Dr. Gross' historical sketch in 1852, it was impossible to obtain any detailed account of the cases.

Perhaps the most remarkable man who ever adorned the medical profession of Kentucky was Benjamin Winslow Dudley, the impress of whose personal methods is still strongly marked in the daily practice of his pupils, scores of whom still live to adorn the higher walks of the profession all over the country. While Dudley was chiefly known for his great success in lithotomy, he was at the same time a pioneer in the application of the trephine in the relief of injuries to the walls of the cranium. He introduced the common roller bandage in the treatment of wounds of the limbs. In 1825, he relieved an enormous aneurism of the axilla by ligature of the subclavian artery. In 1841, he successfully tied the common carotid artery for the relief of an aneurism which pressed into the orbit, and occupied a considerable space in the cranial cavity. He treated successfully traumatic aneurism of the brachial artery by systematic compression as early as the autumn of 1814. Dr. Dudley introduced a simple method of treatment of fracture of the clavicle by the application of two large handkerchiefs to the arm in such a way as to force the upper end of the humerus upward, backward, and outward, in this way making extension in the longitudinal axis of the broken bone, which prevented overlapping of the fragments.



DR. BENJAMIN W. DUDLEY.

Various other devices have since been employed, notably that of Dr. Lewis A. Sayre, of New York, whose method differs from that of Dr. Dudley only in the substitution of court plaster for the handkerchiefs.

In August, 1806, Dr. Walter Brashear, of Bardstown, performed the first amputation at the hip-joint, ever done in the United States, and in a manner different from any other. The subject was a mulatto boy, belonging to the monks at Saint Joseph's College. No publication had at that time ever appeared to indicate an attempt by any other person, and it is not certain the operation through the joint had ever before been successfully done anywhere. Dr. Brashear was a remarkable man. Born in Prince George county, Maryland, February 11, 1776, and having studied medicine with Dr. Frederick Ridgely, and afterward attended lectures at the University of Pennsylvania, under Benjamin Rush, Rhea Barton, and the great surgeon, Philip Physick, he sailed in 1799, as surgeon to the ship *Jane*, for China. In one of the Chinese ports, he successfully amputated a woman's breast for malignant disease, greatly to the astonishment and delight of the

medical men and the nobility of China. Dr. Brashear left Bardstown and went to Lexington, in 1813, where he remained four years, and in 1832, removed with his family to the parish of Saint Mary, Louisiana.

Exsection of the clavicle was done for the first time in the United States in 1813, by Dr. Charles McCreary, of Hartford, Kentucky. The subject was a lad named Irvin, of Greenville. He fully recovered, and survived the operation thirty-five years, dying in Muhlenberg county, April, 1849.

On February 4, 1819, Dr. Henrie McMurtrie, of Louisville, published a book of two hundred and fifty-three pages, on miscellaneous subjects, including a *Florula Louisvillensis*, of about four hundred genera, and six hundred species of plants growing in the vicinity of the falls. Dr. McMurtrie was a versatile, rather than erudite, author. He announced the danger of persons relying upon the fallacious doctrine of "seasoning" against the endemic fevers, and warned emigrants that a single attack rather predisposed a person to continued attacks, than affording any protection. His strong appeals to the local authorities in various contributions to the daily papers, led to the establishment of the City Hospital, in 1817. The institution was partly a Government, and partly a city enterprise, and was long known as the "Louisville City Marine Hospital."

At Danville, the partner of McDowell, Dr. A. G. Smith, who afterward changed his name to Alban Goldsmith, was the first to introduce the operation of lithotripsy, an operation for crushing a calculus into small fragments, by means of which it could be voided, instead of subjecting the patient to the more hazardous procedure of cutting it out through an external opening. The first operation of this kind ever done in the United States, was done by Dr. Smith, on a gentleman in Lincoln county, Kentucky, in 1829. He had just returned from Europe, where he had witnessed Civiale operate in this way, and was, perhaps, the first imitator of this great genius in surgery.

The truss now in universal use in the treatment of hernia, was the device of a Kentucky gentleman named Stagner, and a Dr. Hood; Stagner having invented the first form of the instrument, and Hood having improved upon the model so as to perfect it.

Operations for the radical cure of strangulated hernia by Dr. Samuel B. Richardson, of Louisville, and Dr. W. L. Sutton, of Georgetown, were among the earlier operations of this kind: while Dr. Bowman, of Harrodsburg, is entitled to the credit of having devised an instrument for injecting strong stimulants and caustic solutions into the tissues around the apertures through which hernial protrusions were wont to occur. These operations by Dr. Bowman attracted great attention at the time, and with various modifications are still in favor with the best surgeons.

Dr. Henry Miller, lately, and for nearly forty years, a resident of Louisville, from 1830 to 1869, performed many remarkable operations in surgery, and was, perhaps, the first physician to introduce the practice of topical applications in the treatment of uterine diseases. In the department of diseases

of women, Dr. Miller became an acknowledged authority, being the author of a text-book on obstetrics and the diseases of women, which is still in use in nearly all medical colleges in the world. In August, 1849, Dr. Miller dilated the urethra, and introducing a curved pair of polypus forceps, seized and extracted a rough, large calculus weighing two hundred and sixty-four grains, from a female in her fifteenth year. She recovered rapidly, and returned a few days after the operation to her home, entirely restored to health.

Dr. William Gardner, of Woodsonville, was one of the most successful lithotomists, and one of the ablest general practitioners of medicine and surgery that ever graced the State. In a little town of less than five hundred inhabitants, this great surgeon, for about forty years continued the quiet, though busy, occupation of his professional work, performing now and then, deeds of which Sir Astley Cooper might well have been proud. It was an interesting sight at Louisville during the meeting of the American Medical Association, in 1875, to witness a small coterie of the great masters in medicine and surgery, hovering about the old backwoodsman from Hart county, who sat, clothed like an humble farmer, discussing with Gross, Sayre, Paul F. Eve, William K. Bowling, J. W. S. Gouley, Nathan S. Davis, and J. J. Woodward, the predisposing causes to calculous diseases, and the merits of the gorget, the scalpel, and the bistoury for making the section; the best position for the incision, the size of the opening, and the after treatment; all these masters, and many more, giving breathless attention to the measured sentences of the humble rustic.

William Gardner, of Woodsonville; John Shackleford, of Maysville; Edward C. Drane, of New Castle; John Swayne, of Ballardsville; Joshua B. Flint, of Louisville, Louis Rogers, Llewellyn Powell, Erasmus D. Foree, Benjamin R. Palmer, Middleton Goldsmith, John D. Jackson, and Lunsford P. Yandell, the elder, are names which will live in the history of Kentucky medicine—in fact, in the classical history of the healing art—as long as the pioneers in a great profession shall continue to receive the just reward of great discovery and meritorious labors. McDowell, Smith, the Dudleys, Taylor Bradford, Henry Miller, Walter Brashear, John D. Jackson, and Asbury Evans, are names that must stand side by side with those of Samuel D. Gross, Dupeyren, John Hunter, and Sir Astley Cooper, all great masters of surgery, each one contributing important additions to the grandeur of its achievements.

When Transylvania University was at its zenith, Dr. Alban G. Smith (afterward Dr. A. Goldsmith), of Danville, came to Louisville, and, procuring a charter from the Legislature in 1833, undertook to organize a medical school, under the title of the Louisville Medical Institute. Failing in this, he went to Cincinnati, and finally to New York.

The Transylvania school, at Lexington, was much disturbed by the conflicting theories of disease taught by different professors, and in 1837,

Professor Charles Caldwell, a man of great scholarly attainments and world-wide reputation, resigned his chair at Transylvania, and proceeded at once to organize the faculty of the Louisville Institute. In September, 1837, the first course of lectures was inaugurated, and in 1838, Professor Caldwell delivered the first clinical lectures on medicine ever delivered in the West, at the Louisville City Hospital. The institute grew so rapidly it soon exceeded in importance all other schools of the West. In 1845, it was reorganized under a new charter, in the name of the "Medical Department of the University of Louisville." It was here Drake, Short, T. G. Richardson, Gross, Austin Flint, Sr., Benjamin Silliman, and Henry Miller all won their renown. Gross' "Pathological Anatomy, and Foreign Bodies in the Air Passages," and the principal part of his great work on surgery, were all written at Louisville, where his chief renown in surgery was won, and the grace and power of his eloquence were finished.

In 1850, the Kentucky School of Medicine was established. The school at Lexington having gone down, the Dudleys, Bush, Peter, and Robert J. Breckinridge, drew about them in this new school such men as Joshua B. Flint, John Hardin, Henry M. Bullitt, E. D. Foree, and others not less gifted. Soon the old university at Lexington closed its doors, while the university at Louisville reluctantly followed the same course. Just at the moment when the Kentucky school had conquered all opposition, that brilliant though unfortunate leader, Dr. Middleton Goldsmith, aroused such opposition to his policy in the faculty, by his publications on military surgery, as to cripple the efficiency of the school. Benson, Powell, Bayless, Bullitt, and Bell, set about forming a new faculty for the university. In 1865, the Kentucky school having closed its doors, the university, now embracing in its faculty the most active men of the Kentucky school, opened to a large class of students. The combination of the hitherto beligerent elements of the two faculties led to a transfer of the library, museum, and all the college apparatus and paraphernalia of the Kentucky school to the university, and a surrender of its charter, by the trustees, to the Legislature.

The Kentucky school of the present is acting under a revival of the old charter, by an act of the Legislature, approved some twenty years ago.

Kentucky Jurisprudence.—It is believed that a brief historical narrative of the rise and progress of the laws of Kentucky, including the principal acts of legislation, a few of the important judicial decisions, together with the main features of our several State constitutions, may not be unacceptable to the general reader. An attempt will here be made to give an outline sketch of some prominent points in the legal polity of the State, by grouping it under four periods. The periods selected are the following: First—From the formation of the State government, in 1792, to June 1, 1800, when the second constitution was adopted; Second—From thence to 1830; Third—From thence to 1860; Fourth—From thence to the present time.

First—The Constitution adopted at Danville April 19, 1792, provided that all laws then in force in the State of Virginia, not inconsistent with the Constitution, and of a general nature, and not local to the eastern part of Virginia, should be in force here until altered or repealed by the Legislature. This clause in our first constitution brought to Kentucky the common law of England, and the general statutes of Parliament in aid thereof, prior to the fourth year of the reign of James I., except as modified by the legislation of Virginia, just mentioned. A single section of our first constitution thus imported to the State a large body of law, which had been gathered in England and Virginia. The special work of our Legislature and courts was to make such additions and alterations as would adjust this body of law to the condition and wants of the new Commonwealth.

A marked characteristic of the legislation of this first period is the dearth of all laws relating to business corporations, such as banks, insurance, turnpike and railroad companies, which now engross so much of the time of our Legislatures. A few charters, incorporating academies and libraries in some of the oldest counties and towns in the State, constitute nearly all that is to be found in our early statutes upon the subject of corporations. The act incorporating the Frankfort Bridge Company, and the law of 1798, making a university of Transylvania Seminary, nearly completes the list of corporations as made prior to 1800.

The desire for educational improvement, which in later periods has been so much outstripped by the thirst for gain, was then in the ascendancy in our corporate legislation. The rising trade and commerce of the State was just beginning to make its way over our unimproved dirt roads, and to creep slowly down our rivers filled with obstacles to navigation, until it reached a market at New Orleans, the natural receptacle for the produce carried upon our waterway.

Among the important general laws of the first period, we may reckon first the meagre revenue law of 1792-3, providing for the frugal wants of the State government. Its subjects for taxation are indicative of the poverty of that day. No specific taxation upon banks, dealers in exchange, or merchants of spirituous liquors is found upon its lists. No gold or silver plate, no stocks in banks or other corporations, crowd the narrow columns of the assessor's book. The items of chariots, coaches, and carriages to be found in the schedule embrace articles owned by a few wealthy settlers from Virginia, who were then to be occasionally seen traveling over the State in search of land.

Second—The famous wolf-scalp law makes its first appearance in 1795. Its frequent reappearance since has made it almost a settled part of the polity of the State.

Third—The act of 1798, in reference to the authentication of records, deeds, and policies of insurance, shows that the commercial intercourse of Kentucky with other parts of the Union had already become so consider-

able as to make it necessary to have some mode of giving credit to foreign instruments of business.

Fourth—The act altering the form of execution so that it could be levied upon real estate, as well as personalty, is much in advance of some of our sister States.

Fifth—An act for the better regulation of towns gives an inside view of the primitive customs and practices of the period. It affixes a penalty for the offense of racing horses in a town, or shooting at a mark on a street. It vests the trustees with power to make proper regulations respecting the public spring, and subjects any persons violating such regulations to suitable punishment. It is evident that the *old town spring* was an object of much solicitude. In fact, this spring often determined the location of our first county towns.

Sixth—The benevolent spirit of our early Legislature is shown in an act of this period to aid poor persons in their lawsuits. This statute enjoined the officers of the State to issue and serve process for such persons, free of all costs to the litigants. Another law pervaded by a like spirit furnished a cheap court of arbitration for suitors desiring to save expense and delay in the trial of their cases.

Seventh—The prosperity of the Commonwealth was greatly checked, its improvement and settlement retarded, its citizens occasionally alarmed, and often ruined in their fortunes by reason of the interference of conflicting claims founded on the conflicting land laws of Virginia. Claims dormant, and unknown to the neighborhood of the disputed tract of land, were often bought up, not only to alarm, but eventually to cast out on the world, numerous industrious families in all parts of the State. Late and inferior claims to land were held up and concealed until the witnesses to establish the superior title were dead, or had removed to remote places, or the property had fallen into the hands of persons ignorant of the sources of proof respecting it.

To afford some alleviation of an evil so great, our early courts, acting on the general principles of equity, adjudged compensation for improvements to innocent occupants when evicted from their farms. To foster this equitable principle, and render the mode of recovering compensation more safe and expeditious, the Legislature of 1797 passed what is usually known as the *occupying-claimant law*. This act secured to the improver the cost and value of seating and improving his farm, as against the rightful owner of the same. The act was upheld by our appellate court with a strong hand, and became exceedingly dear to the people as the palladium of their homes.

Eighth—The legislation of 1798 is extremely rich in valuable laws. Acts upon the subjects of gaming, interest and usury, master and servant, and many other topics, characterize this period.

Ninth—Perhaps the most remarkable statute passed by the Legislature of '98 is that making amelioration in the penal laws of the State. The severe

punishment of death, which the law prior to this date awarded to so many minor felonies, was now abandoned. Experience had demonstrated that the previous cruel and sanguinary laws of the Commonwealth defeated their own purposes, by engaging the benevolence of men to withhold prosecutions, smother testimony, or listen to it with bias. Acting upon these ideas, the law of '98 to amend the penal laws was passed. The penitentiary was substituted for the gallows in many instances. The crimes for which capital punishment was inflicted were reduced to few in number. The law is a striking proof of the spirit of humanity which prevailed among those who laid the foundations of our Commonwealth. Its beneficial workings are acknowledged in subsequent messages of Governor Greenup.

Tenth—The courts of justice for the period consisted of the Justices' Court, the County Court, the Court of Quarter Sessions, the District Court, the General Court, and the Appellate Court. Some of the justices were also judges of the Court of Quarter Sessions, which had an extensive jurisdiction in cases of law and equity. Appeals could be taken from the single justice to the quarter-sessions court, thence to the county court. The law establishing district courts divided the State into six districts, and gave these courts both common law and chancery jurisdiction in most causes of action within their districts. These courts superseded the Oyer and Terminer, and in addition to civil matters they had a general criminal jurisdiction. Appeals lay in civil cases from the judgments both of the district and those of the quarter-sessions courts. The pleadings and proceedings in all these courts were marked by a spirit of simplicity. The early legislation of the State in this respect shows a strong dislike to many of the evils which abound in the old common-law system of pleading and practice. The desire, as manifested by the law, was to try cases upon their substantial merits, irrespective of errors of form. Some of the earliest legislation was directed to efforts to correct the delays incident to pleadings in real actions. The declaration and subsequent pleadings in the old writ of right were thoroughly reformed, and the issues simplified.

Eleventh—The punishments for misdemeanors were principally the pillory, whipping-post, ducking-stool, and stocks. The sheriff's fee for ducking or putting any person into the stocks was forty-one and one-half cents each.

Twelfth—The foundation of our first statutes upon the subject of wills, descents, frauds, bills of exchange, attachments, executors, and administrators, were made a part of the legal polity of this early period.

No laws upon the subject of exemptions from execution, or homestead acts, or valuation laws, had yet found their way into our legislation. A short replevin law of three months is all that is to be found in the period under review. Imprisonment for debt had not yet been abolished. No judicial decision of the period is recalled as being of special importance. The case of *Kenton versus McConnell*, decided in 1794, is perhaps the most noted, as the decision led to an attempt on the part of the Legislature to

address Judges Muter and Sebastian out of office, on account of their rulings in that case. Such is an imperfect outline of the laws in the first period of our sketch.

The Second Period of our sketch begins with the adoption of the second constitution of the State, and ends in 1830. During this portion of the State's history much was done to perfect the jurisprudence of the Commonwealth. All the particulars can not be given in this summary, but some of the most important may be grouped under the following general heads:

First—The first judiciary system was found to be inconvenient and expensive. The old district and general courts were abolished in 1802, and circuit courts established.

Second—The increasing commerce of the State, the great scarcity of money, and extravagant ideas on the part of some of our politicians, as to the benefits to be derived by the public from the establishment of banks, led to the creation of two banking institutions as early as 1806. The first of these, chartered in 1802, made its way through the Legislature under the guise of an insurance company. The second, the Bank of Kentucky, with a capital of one million dollars, afterward became a controlling monetary power, and exerted much influence upon the politics of the Commonwealth.

Third—A statute passed in 1808 exhibited some of the growing ill-feeling toward England which afterward culminated in the war of 1812. This act prohibited the reading of all reports and books containing reports of adjudged cases in the kingdom of Great Britain, rendered since the 4th of July, 1776. These books were not to be read nor considered as authority in any of our courts. The effect of the law, if it had been enforced, was to deprive Kentucky of the benefit of all the lights contained in the post-revolutionary decisions of England. The law was more injurious to Kentucky than to England. The act was at first strictly enforced, but soon fell into disuse.

Fourth—Another innovation in the law was the divorce act of 1809. While this act was liberal to the wife, in some of the causes for divorce on her part, in the matter of cruelty it only entitled her to obtain a separation for such mistreatment as endangered her life. The long train of divorces which have been granted by our courts since took their rise in this statute. Its provisions have been much enlarged with the growth of the State.

Fifth—An important change in the forms and pleadings for administering justice between party and party was made by a statute of 1811, familiarly known as "*Bob Johnson's law*." This act provided that the plaintiff should state in substance, in his declaration, what he claimed of the defendant, and the defendant should state in substance what he intended to rely on as in defense. Neither party was bound to any particular formality in pleading. If their cases were stated so plainly that a fair trial could be had on the merits of the cause, no demurrer was to be sustained to any part of the pleadings of either side, provided the statements contained in the pleading-

substantially apprised the adverse party of the points intended to be relied on, and amounted to a substantial cause of action or defense. This law is a remarkable production for its day, and its bold author was Colonel Robert Johnson, the father of the noted brothers, Richard M., John T., and James Johnson. This statute really contains the substance of all the modern reforms introduced by the later codes of practice adopted in the different States of the Union.

Sixth—The Commonwealth has repeatedly sustained great and irreparable injury in the loss of some of her best and most valuable citizens by the inhuman practice of duelling. The destruction of the peace, happiness, and domestic felicity of many families, by this deadly practice, led to the enactment of an anti-duelling law in 1811. The act required every officer in the State, from constable up to governor, including lawyers and members of the Legislature, to swear solemnly that they would never give or accept a challenge. The statute denounces duelling as contrary to the principles of morality, religion, and civil obligation. It is characterized as a practice which, originating in a barbarous age, has been fostered by a savage policy, and only perpetuated in this enlightened era by mistaken ideas of honor.

Seventh—Another innovation in our law was the act of 1813, forbidding the carrying of concealed deadly weapons. The law met with much opposition at the time of its introduction here, and was at first held to be unconstitutional, but this ruling was subsequently set aside.

Eighth—The office of associate circuit judge was abolished in 1815. The working of the circuit court was thereby greatly improved, the tone of its decisions was strengthened, and the respect and confidence of the community enlisted in its favor.

Ninth—The era of banks had now arrived. The State was flooded with independent organizations of the kind, mostly chartered in 1817. These acts of incorporation had scarcely come from the molding hands of the Legislature when they were suddenly repealed.

Tenth—Two branches of the United States Bank entered the State in 1817. They were followed by an act of legislation imposing a State tax of sixty thousand dollars upon each of the branches. The validity of this tax became a question of fierce litigation. The tax was at first sustained by the Appellate Court of Kentucky. The same tribunal decided that the law incorporating the United States Bank was unconstitutional. The Supreme Court of the United States ruled differently on both points. These decisions entered largely into the bitter political contests of the times. They were followed in the United States Supreme Court by the great case of *Green versus Biddle*, in which the occupying-claimant law in Kentucky was decided to be unconstitutional. The opinion in *Green versus Biddle* gave great alarm throughout the Commonwealth, and led to a strong remonstrance to Congress from the Kentucky Legislature. Henry Clay and George Bibb were sent to Virginia to effect some compromise of the matter, but they

failed in their efforts because of the hostile action of the Virginia Senate. The case of Green versus Lifter went a step further, and held that it was not necessary for a plaintiff, in a writ of right, to have actual possession in order to maintain his suit. This was exactly contrary to the ruling of the Appellate Court of Kentucky, in the case of Speed versus Buford. A feeling of general insecurity as to the land titles of the State was the result of these conflicting opinions.

Eleventh—In 1820, the Commonwealth's Bank was chartered, with a capital of two million dollars and a two-years' replevin law to support it. This was followed, in 1822, in a decision by Judge James Clark, of the Bourbon Circuit Court, in the case of Blair versus Williams, holding the replevin law of 1820 to be unconstitutional. The judge was strongly censured by the Legislature for his opinion. About one year after, the Appellate Court sustained this decision of Judge Clark. The Legislature again protested. This opened up a contest between the Legislature and the judicial departments of the government. The result was the attempted abolition of the old court and the creation of a new one by the reorganizing act of 1824. Two years afterward, in 1826, this act was repealed and the old court replaced upon its former footing. The act of repeal is styled "an act to remove the unconstitutional obstacles thrown in the way of the Court of Appeals." Its historical preamble states that the Appellate Court was created by the Constitution; that the judges thereof hold their offices during good behavior, and could only be removed by impeachment or address; that the Legislature had attempted to obstruct the constitutional court and erect another upon its ruins by the acts of 1824 and 1825. The preamble shows that the latter acts had been decided by the people at two successive elections to be dangerous violations of the Constitution, and subversive of the long-tried principles upon which experience had demonstrated that the security of life, liberty, and property depends. Accordingly, the laws of 1824-25 were repealed, and the former laws were revived, re-enacted, and declared to be in full force.

Twelfth—Whatever may be thought of the policy of some of the acts of legislation passed during this exciting time of our history, it must be admitted that Amos Kendall was right when he said, "The impartial historian will date from this period the origin of the noblest institutions which do honor to our State. A university regulated, a lunatic asylum established, a hospital for the sick and penniless erected, an asylum for the deaf and dumb called into existence, learning patronized, a foundation laid for a system of common schools, these, and many generous and noble acts of legislation are the fruitage of this era."

Thirteenth—During this period, most of the noted land suits of the State were settled. The celebrated land-lawyers then reached the zenith of their fame—such as Hughes, Allen, Wickliffe, Rowan, Barry, Bibb, Blair, and others, who were the leading spirits in these suits. Judge Bibb, in the intro-

duction to his reports, speaking of the land law of the State and the decisions thereunder, has said: "In the history of this branch of our jurisprudence, if some oscillations in judicial decisions be remarked, they will be comparatively few. Considering the complexity of the claims authorized by the act of 1779, the novelty of the scheme, and the ocean created for the judges to explore, a pleasing admiration is excited that a system of jurisprudence created by successive judicial decisions should have been brought to its present state of equity and justice without much greater clashing of decisions. The court has endeavored to place the landed property of the country upon as sure a foundation, and as nearly approaching to record evidence of title, as the nature of the claims would permit, avoiding as far as could be, to place points of controversy within the power of a solitary witness, paying a just regard to the importance of having the rules of property steady and uniform, but yet not yielding passive obedience to precedent."

Fourteenth—A local act of this period chartering the Elkhorn Navigation Company is evidence of the enthusiastic and visionary ideas upon the subject of internal improvements which prevailed at the time. Large subscriptions were made by citizens of Fayette, Scott, and Woodford counties to the enterprise. A company was formed to lock and dam Elkhorn creek. The object was to carry off the produce of those counties to the Kentucky river. A large warehouse was erected at Lexington for the storage of produce intended for transportation on Elkhorn creek. It is needless to say the project ended in failure.

Fifteenth—A law of this period, regulating and restraining the establishment of tippling-houses, contains a preamble drafted in 1820, which tells a bad story for these houses, as presented by their history up to this time. This preamble, in its recitals, shows that tippling-houses were institutions never contemplated by the laws of Kentucky; that they were then to be found in great plenty in every town, village, and neighborhood, throughout the State; that, in fact, the State was completely inundated with these engines of vice; that their influence was great on some portions of society; that industry was checked, purses were drained, constitutions were destroyed, families were disturbed, and citizens were demoralized. This period is noted for the rise and growth of many charitable institutions and business corporations—iron companies, manufacturing companies, hemp companies, steam mill companies, water companies, and two railroad charters, are among its productions in the way of legislation. It is especially rich in charters for the establishment of collegiate institutions. Centre College, Augusta College, Saint Joseph's College, all belong to this period. Then, too, Transylvania took its rise as a State university. Towns were springing up in all parts of the State, and many new counties were organized in the period under review. This carries us to the end of the period named.

The Third Period of our local history begins at 1830 and ends with 1860.

The growth of the State during this time is apparent in its statutes. The appreciation of education, and the sentiment with regard to improvement in our roads and the navigation of our rivers, are manifest in the new laws upon the subject of common schools and internal improvements. The seminary system of education was cast aside. A law embodying some of the best points in the New York and New England common-school systems was adopted, in place of the old Virginia system. Turnpike roads and road companies were chartered in all parts of the State. The people became tired of hauling their produce and merchandise over the rough dirt roads then existing. The scenes of long trains of wagons running on the great highway from Maysville to Lexington, and other points of the State, had been witnessed long enough. The practice of relieving these trains by different wagoners joining their teams together, and then calling on the neighbors to assist them out of the mud-holes, invoked the efforts of our statesmen to secure aid in this matter from the General Government. The bill to give government aid to the Maysville and Lexington turnpike was passed by Congress, but vetoed by President Monroe. The agitation on the subject of road and river improvements lasted until it forced the passage of a law by our General Assembly, for establishing a permanent system of internal improvements, and aiding navigation upon the largest streams of the State. The act was a remarkable specimen of log-rolling. It promised improvements on the roads in the three great sections of the State, and aid to nearly every river and creek, of considerable size, in the Commonwealth. It ultimately carried the State to the verge of bankruptcy, and secured but a small portion of the improvements contemplated. It gave birth to our sinking-fund system in 1836, and led to the introduction of several important clauses in the Constitution of 1849. It led to the future protection of the public credit, by engrafting upon that constitution a prohibition of future State aid to internal improvements, without the assent of the people given at the polls.

From this period we may date a strong growth in the pro-slavery sentiment of the State. A statute made in 1833, prohibiting the importation of slaves into Kentucky, was at first quietly acquiesced in by the people; but when an effort was made to put its provisions into the Constitution of 1849, it led to a most exciting political discussion, and ended in placing in that instrument a more ultra pro-slavery clause than can perhaps be found in the constitution of any other Southern State.

Other important alterations, during the period under review, were the exemption of a considerable amount of property from execution; restraints put upon the rights of the husband in the real property of his wife; the prevention of fraudulent claims against decedents' estates, by requiring such claims to be properly verified; the permission to form limited partnerships; the corporation act; the law requiring payment for property destroyed by mobs; compensation for loss of life occasioned by negligence of railroads;

the extension of the rules of evidence to permit owners of lost baggage to testify in their own behalf; the liberality of sentiment which led to the adoption of the New York system of pleading and practice; the reformation of the County Courts; the change in the manner of electing judges, sheriffs, and magistrates; the liberality displayed to charitable and reformatory institutions; prohibition of betting on elections; the act of 1854, authorizing the geological survey of the State; the disposition to encourage fine arts, as shown in the law authorizing native artists to dispose of their pictures by lottery. These are some of the material alterations of the period considered.

Aside from the foundation and establishment of the common-school system of the State, this period has been one of great progress in our collegiate and literary institutions. The well-known literary societies, in connection with some of our colleges, were founded then. The Deinologian Society of Center College, in 1837; the Tau Theta Kappa Society, of Georgetown College, in 1839; and the Ciceronian Society, of the same institution, in 1840.

The organization and chartering of business corporations of all kinds, banks, railroads, insurance companies, and turnpikes, have been marked characteristics of this era.

The additions to our revenue laws indicate a great step in the wealth and commerce of the State. The new items of taxation embrace gold and silver plate, gold and silver watches, barrels of corn, wheat, and barley, tons of iron ore in its different stages, not to be found on the assessor's books of either period preceding this. The equalization law of 1837 brings to the aid of the State a large residuary property not heretofore given in for taxation. The pervading spirit of equality and justice in this law did much to remove a previous reproach upon our revenue system.

The laws known as the "revised statutes" gathered up the substantial points in all the previous revisions of our laws and put them into a connected whole. The work was executed by Squire Turner, S. S. Nicholas, and Charles A. Wickliffe, three of the ablest lawyers of the State. The new matter in this revision is mostly derived from the laws of Virginia, Massachusetts, and New York. This revision lasted until superseded by that of 1873. Here ends the third period in our division.

The Fourth Period is now reached in the discussion of our subject. This era carries us through the stirring scenes of the civil war and down to the present date. It leads us through a period of great activity in railroad growth, banking operations, corporate development, intellectual and social progress.

The period opens with the war legislation of the State, a peculiar class of laws, which has already passed away with the emergency which produced them. This legislation breathes a strong spirit of devotion to the Union. It displays also a sentiment of liberality and forbearance to the Confederates when the fortunes of war had gone against them. It is mild, compared with that of some of the States.

For the chief laws to suppress the rebellion and aid the Union, we may note the expatriation of all citizens entering the Confederate service, the vacating of the offices of all who went into the Southern army, making it a felony to join the rebels and invade the State, compelling disloyal persons to pay damages for injuries done to property.

For acts of liberality to those in rebellion, we may refer to the laws pardoning all treason against the Commonwealth, granting universal amnesty for acts committed prior to October, 1865, the efforts made in behalf of a complete and early restoration of the States of the South to all their rights in the Union.

The amendment to the Constitution of the United States abolishing slavery was not favored by Kentucky. The mode in which the requisite majority was secured for it was strongly condemned by the people of the State. This single amendment stripped the people of millions of money, without compensation, and swept from the statute-book our entire code of laws pertaining to slavery; but the consequences of the amendment were accepted by the people in appropriate changes in their law in the matter of permitting negroes to testify and suitable provisions made by the establishment of the common-school system among the colored people. The results were cheerfully accepted even by the court of last resort, which decided in the case of the Commonwealth versus Johnson that the portion of our jury laws retaining the word "white" was unconstitutional. The negro is given the fullest protection in his life, liberty, and property. Under this protection the property owned by the colored people in the State would probably reach five million of dollars.

Late alterations in our laws of evidence tend to do away with the old rules upon the subject of competency, and to reduce all questions of the kind to issues of credibility. Persons interested in the result and parties to the record can testify in civil suits. The rule was not quite so liberal in criminal cases as to allow the defendant to testify in his own behalf, but the popular sentiment flowed strongly in that direction, and it has very recently become the law of the State.

The statutory ameliorations of our criminal law are very great. The particulars will be found in the chapter upon crimes, in the revision of 1873. Some features of our criminal jurisprudence, as developed by the courts, merit a passing notice. The judge is not allowed to instruct the jury at large by a running comment on the evidence, as is usual in the English courts. This practice is viewed by our law as dangerous to the rights and liberties of the citizen.

The law of self-defense, in cases of homicide, has been pushed to the utmost limit, in some few of the rulings of the Appellate Court. This was especially true in the cases of Phillips versus the Commonwealth, decided in 1865; Carrico versus same, decided in 1870, and Bohannon versus same, decided in 1871.

In *Paris versus the Commonwealth*, rendered in 1878, the Appellate Court overturned the usually accepted doctrine of implied malice, as a part of the law of the State. That case has been followed in a number of subsequent rulings.

In 1864, in the case of *Smith versus the Commonwealth*, it was held by Judge Robertson that drunkenness, brought on by sensual or social gratification, with no criminal intent, may reduce an unprovoked homicide from murder to manslaughter; and if transient insanity ensue, although it may not altogether excuse, it may mitigate the crime. This decision was subsequently overruled by the Appellate Court in 1870.

The defense of moral insanity has been pushed by the courts to an indulgent extent not sanctioned by many eminent common-law authorities. The plea of an irresistible impulse is accepted as an excuse for a criminal act.

The growing temperance sentiment has made itself felt in the legislation of the times. A stringent local-option law has been passed, and the sale of liquor to inebriates forbidden universally. The divorce law has been so enlarged as to give the husband a divorce for drunkenness on the part of the wife.

The evils incident to the growing power of railroads, in their extortions and discriminations in the matter of freight charges, have been met by strong legislative prohibitions, forbidding such preferences. A railroad commission has been established, and steps have been taken to secure the taxation of railroad property somewhat commensurate with its real value.

The moral sentiments of the people have been consulted in the passage of laws prohibiting the circulation of obscene literature, and providing for liberty of conscience by permitting inmates of our reformatory institutions to select a minister or priest of their own religious persuasion.

Increasing attention to the protection of the public against the effects of empiricism is manifested, by requiring physicians entering upon the practice of medicine to bring some guarantee of suitable qualifications for the discharge of their responsible duties, either by the diploma obtained by graduation in some reputable school of medicine, or by a certificate obtained upon examination before a State board appointed for the purpose. Pharmacists and dentists are subjected to regulations somewhat similar in their character and object.

The revenue laws of the State have always been defective; but not less so in their modes of execution than in their substance. These laws have been made the subject of almost uniform complaint by our governors in their messages. For the last few years, they have not raised money sufficient to meet the current expenses of the State. The sinking fund has repeatedly been drawn upon to supply the deficiencies in this respect. The revenue law, as shown by the statutes of 1873, gives ample evidence of the growth of Kentucky for the last thirty years under review in mineral and agricultural products.

The condition of married women under the statutes of Kentucky is much ameliorated, as compared with their status at the common law. Able reports upon the injustice of some portions of the common law to this class of our citizens have produced these changes. The *femme sole* act, recently become a part of our law, enables a married woman, under proper restrictions, to become a *femme sole*, and vests her with all rights of making wills, deeds, and contracts incidental to the unmarried condition of life. At the same time, an act of justice has been done to the husband by relieving him of all responsibility for the ante-nuptial contracts of the wife where he gets nothing from the marriage.

A strong desire to provide for insolvent debtors and their families, under proper restrictions and conditions, is manifested by the law of 1866, giving the debtor a homestead exemption, in real estate, to the amount of one thousand dollars. This landed exemption, supported as it is by laws providing exemptions of personal property, with late amendatory additions of a liberal kind, gives about all that could be asked for this class of our citizens.

The body of law as developed by the decisions of our Appellate and Superior Courts during the period now under treatment will compare favorably with that of our sister States. Many of these rulings have been of general interest to the country at large. They have been reported in all the standard legal journals of the country.

These laws of the different periods, as thus passed under review, have been developed under three different State constitutions. Two of these have long outlived the average of the American State constitution. The first constitution of 1792 was largely pervaded by a spirit of distrust of the people, imbibed from the English law. The election of the governor and Senate was taken from the people and transferred to electors chosen by them. The right of suffrage as given by this Constitution was not made to depend on the possession of a freehold estate in land. This feature was a great step in advance of the Constitution of the parent State of Virginia.

Popular dissatisfaction with the provisions of the first constitution in regard to the mode of electing the governor and the Senate led to the formation of the second constitution in 1799. This instrument went into operation in 1800 and remained in force fifty years, until 1850. It is said to be mainly the work of John Breckinridge.

The debates upon this second constitution have, unfortunately, not been preserved. It is known that a fiery discussion arose in the convention on the question of making the Appellate Court independent of the Legislature. Some of the delegates were in favor of that court being under the control of the legislative body, as were the other courts of the Commonwealth. It was mainly through the instrumentality of Judge Caleb Wallace that it was made independent of legislative control. This constitution puts no property qualification upon the right of suffrage. The judges were appointed by the governor and held office during good behavior. This policy of appointment

during good behavior may seem plausible, to be the better mode of securing purity and stability in the judiciary arm of our government, to the minds of many; yet there have been, and are, very able men who have as plausibly asserted and argued the advantages of an elective judiciary as provided in the succeeding constitution of 1850. The ablest presentation of the facts and arguments in favor of the latter resort may be found in a memorable speech of Ben Hardin on an occasion of historic interest.

The third constitution, which took effect in 1850, removed all barriers on the direct exercise of popular sovereignty, and makes even the judges all elective by the people. Some of its distinctive features are the prohibition of legislative aid to internal improvements. The public credit is sustained by rendering inviolable the revenues of the sinking fund, and requiring the faithful application of the fund to the payment of the public debt. The promotion and diffusion of knowledge is secured by the dedication of the school fund to a system of public instruction in elementary schools. The personal, civil, and political rights of the citizen are declared and secured by an appropriate bill of rights, and by guarded limitations upon power. The instrument is the product of concession and compromise, and has secured for Kentucky the objects of a good constitution—the safety of life, liberty, and property.

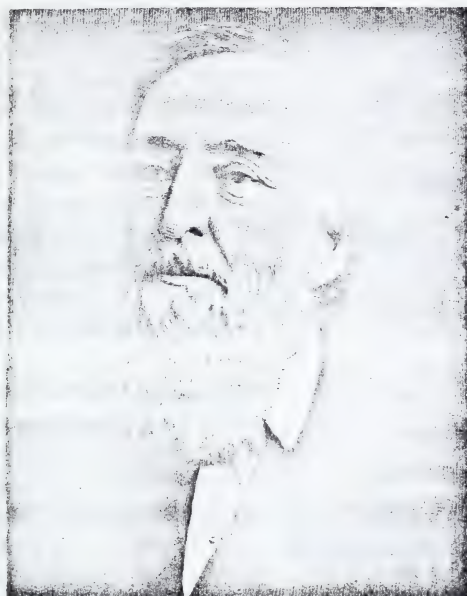
Editors of Kentucky.—George Denison Prentice, Kentucky's most famous journalist, wit, and poet, was born at Preston, Connecticut, December 18, 1802; received a good classical education, and showed in early years that precocity which presaged his brilliant career as a writer. He studied law; but entered journalism in Connecticut in 1825, and was associated with the poet Whittier, in 1828–30, in publishing the *New England Weekly Review*. He came to Kentucky in 1828, to write a campaign life of Henry Clay, and

soon after located in Louisville and established the *Journal*, which he edited thirty-eight years. He made this paper one of the most renowned in the land. It made and unmade poets, poetesses, essayists, journalists, and politicians, who appeared in the West, for over the third of a century. At the breaking out of the civil war, Mr. Prentice threw the whole weight of his powerful organ against the cause of secession, and for the preservation of the Union. In 1835, he was married to Miss Henrietta Benham, by whom he had two sons, William Courtland, who was killed in battle at Augusta, Ken-



GEORGE D. PRENTICE.

[From an early printing, owned by the Polytechnic Society of Kentucky.]



WALTER N. HALDEMAN

tucky, and Clarence J., who lost his life by being thrown from his buggy, near Louisville, in 1873. Mrs. Prentice died in 1868, and her husband, January 21, 1870.

Walter N. Haldeman, president of the Courier-Journal Company, was born at Maysville, Ky., April 27, 1821, and educated at Maysville Academy, along with U. S. Grant, W. H. Wadsworth, T. H. Nelson, R. H. Collins, and others of note. In 1840, he became book-keeper in the Louisville *Journal* office; in 1844, he started the *Daily Dime* paper, soon converted into the *Morning Courier*, which he conducted successfully until 1861, when it was suppressed by military domina-

tion. It reappeared soon at Nashville, and at other points in the Confederacy, after. At the close of the war, in 1865, Mr. Haldeman resumed the publication of the *Courier* in Louisville, with marked success, until 1868, when, in concert with Henry Watterson, of the *Journal*, the two dailies were blended, and appeared as the *Courier-Journal*, which has since been the leading paper of the South, under the same management. The Louisville *Democrat* was soon also absorbed into this combination. The Courier-Journal building is the finest newspaper edifice west of the Alleghanies, completed in 1876. Mr. Haldeman is a man of most versatile, but practical, talents, and endowed with remarkable energy, persistency, and sagacity in business venture. His life has been a series of marvelous successes, often under the frowns of discouragement.

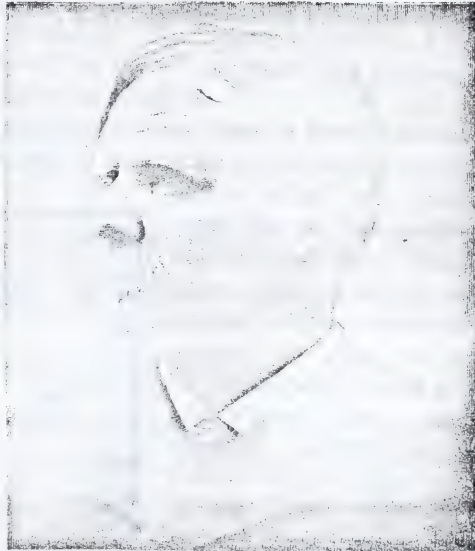
Hon. Henry Watterson was born in Washington City, February 16, 1840, and was well educated, mainly under private tutors. He began his literary and editorial career in New York and Washington until the civil war. Casting his fortunes with the South, he edited the Nashville *Banner*, afterward the *Rebel*, at Chattanooga. After the war, he returned to the *Banner*, visited Europe in 1866, and on his return became editor of the Louisville *Journal*, and finally of the *Courier-Journal*, after the consolidation, and yet holds that position. He was elected to Congress in 1876, in which year he was mainly instrumental in the nomination of Tilden for the presidency. Mr. Watterson is distinguished for his brilliancy and elegance as a writer and speaker, and has proved himself an adroit and powerful political leader for the last twenty years. His defective eyesight greatly interfered with his

studies in youth, and gave a desultory cast to his education. He began, at nineteen, a regular writer on the *States*, a Democratic paper of Washington City. Next, he became editorial manager of the *Democratic Review*, to the breaking out of the war. In 1865, he was married to Miss Rebecca Ewing, of Tennessee, a daughter of the Hon. Andrew Ewing.

Emmett Garvin Logan, editor of the Louisville *Evening Times*, was born in Shelby county, Kentucky, October 9, 1848; attended "old field" schools in winter, and worked on a farm in summer, until eighteen years of age; attended Professor J. W. Dodd's Classical School, in Shelbyville, for three years; then Washington University, Lexington, Virginia, under the presidency of General Robert E. Lee; was one of the guard of honor to conduct the burial services at his death; was elected editor of the college paper; returned to Kentucky, and established the *Shelby Courant*; afterward accepted a position on the editorial staff of the *Courier-Journal*, taking charge of the Kentucky and Southern news department, and making it a decided feature of the paper, the originality, the brilliancy, and wit of his writings being



EMMETT G. LOGAN.

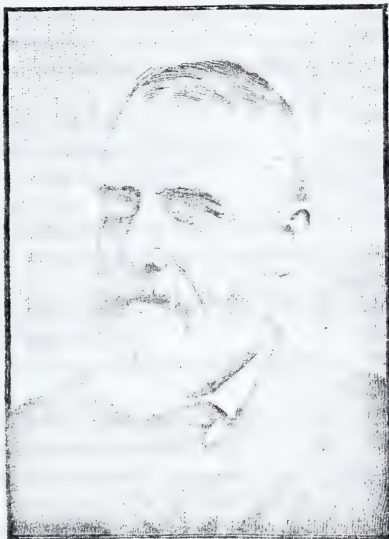


HON. HENRY WATTERSON

everywhere recognized. Joining with Governor Underwood and Colonel E. Polk Johnson in the publication of the *Intelligencer*, at Bowling Green, for a time, he was soon recalled to take charge as managing editor of the *Courier-Journal*, writing many of the leading editorials of that day. In 1882, when Governor Underwood established the *Cincinnati News*, Mr. Logan was selected as the managing editor, at a liberal salary. Under his leadership, that paper became a main factor of political power in Ohio, especially in aid of the election of Governor Hoadly. In 1884, he joined with Colonel E. Polk Johnson again,

in the establishment of the *Evening Times*, and which he yet continues to edit with ability and brilliancy. Mr. Logan is gifted as a versatile and ready writer, and especially for the terse, piquant, and pungent style which has marked his individuality as an editor.

Colonel Robert Morrison Kelly was born at Paris, Kentucky, September 22, 1836, and educated in the schools of Paris and vicinity. Here he



COLONEL ROBERT M. KELLY.

taught school two years, and two years more in Owingsville Academy. Studied law under Hon. J. Smith Hurtt, and opened an office for the practice at the county-seat of Bath county. In 1860, he removed to Cynthiana and formed a partnership with Garrett Davis, his uncle by marriage. In 1861, he entered the Federal army as captain of a company in the Fourth Kentucky infantry, under Colonel Smith S. Fry; was promoted to be major, lieutenant-colonel, and colonel, successively, to October, 1864, and mustered out September 1, 1865, after over four years of service. In 1866, he was appointed collector of internal revenue for the Seventh district, with office at Lexington. Resigned in

1869, to take the editorial control of the *Louisville Commercial*. In 1873, he was appointed pension agent by President Grant, which office he in time vacated and transferred to his successor, General Don Carlos Buell, March, 1886, resuming editorial charge of the *Commercial*.

Kentucky has been as fruitful in the production of editors of talent who have won distinction in their day, and wielded a power that, perhaps more than any other one agency, shaped the parties and governments of the country, both Federal and State, as her sister commonwealths. We might add to the list such men as Bradford, Wickliffe, Penn, Harney, and a host of others, did the occasion admit. It may justly be said that the editorial profession has shown itself worthy of encomium in the faithfulness with which it has performed its duty as an educator of the people. Indeed, it is an important factor in the educational forces, ceaselessly at work in the great cause of human enlightenment.

CHAPTER XXXI.

(1865-86.)

The assassination of President Lincoln.
Electric effect.
Estimate of friends and foes of his character.

Union party divides.
Military interference at the polls.
Officials elected in 1865-66.
Illegal elections.
Prosecutions for military interference.
Designs to subject Kentucky to military rule.

Union men prevent.
General Palmer's rule.
General Brisbin's interference with the slaves.

Judge Andrews' decision.
Thirteenth amendment ratified.
Habeas corpus restored.
One hundred and fifty million dollars in slave property lost.

Amnesty legislation.
Magnanimity of the Union men.
Freedmen's bureau.
Carpet-baggers.
Their corruptions and outrages.
Struggle between the civil and military authorities.

Quick restoration of peace and quiet in Kentucky.

Anarchy and ruin in the South from Federal military interference.

Kentucky's war finances.

Financial exhibit in 1865.

High State credit.

William Preston.

Election of several officials of the Appellate Court.

Carpet-bag rule odious to Union men of Kentucky.

Election of congressmen and State officials in 1867.

John L. Helm.

Third party.

James W. Tate.

Seceded States should have reconstructed as readily as Kentucky.

Post-bellum condition.

Reorganization of the Democratic party.

John W. Stevenson.

State finances in 1867.

"Regulators."

Kentucky congressmen are denied their seats.

James B. Beck.

Governor Stevenson's message.

Finances, revenue, education, penitentiary, Federal relations, treated.

Elections by Legislature.

Fourteenth and Fifteenth amendments adopted.

Negro testimony admitted.

Colored schools provided for.

P. H. Leslie.

Elected to preside over the Senate.

Governor Stevenson is elected United States senator.

Leslie governor.

Elected governor for four years, in 1871.

John G. Carlisle, lieutenant-governor.

Party nominees.

Negroes vote in State election.

William O. Bradley.

Republican declarations.

William Lindsay.

Message of Governor Leslie.

Louisville, Cincinnati & Lexington railroad sold.

Norvin Green.

Federal courts withdraw jurisdiction on the admission of negro testimony in the State courts.

Appellate bench changes.

Milton J. Durham.

Geological survey.

Anti-Ku-Klux laws.

- Joseph C. S. Blackburn.
- Responsibility of judges.
- Panic of 1873.
- The act of 1873-74 establishing colored schools.
- State elections.
- Governor James B. McCreary.
- His message.
- Sale of State turnpike stock confirmed by the courts.
- Bureau of agriculture.
- Election of James B. Beck and John S. Williams, United States senators.
- Albert S. Willis.
- Presidential election, 1876.
- Tilden elected and Hayes counted in.
- Bargain to withdraw carpet-bag rule from the South.
- John M. Harlan on the United States Supreme bench.
- Judges Hines and Lewis elected to the Appellate bench.
- Luke P. Blackburn is elected governor.
- His message.
- Walter Evans.
- Appointed commissioner of internal revenue.
- Presidential election, 1880.
- Assassination of President Garfield.
- Superior court created.
- The tragedy.
- Neal and Craft murders and trials.
- Congressmen-elect in 1882.
- State election, 1883.
- J. Proctor Knott.
- His message.
- Defective revenue laws.
- Auditor suggests reforms.
- State educational conventions.
- Good school laws enacted, 1883-84, for white and colored.
- Vote on the question of a new Constitution.
- New penitentiary ordered built at Eddyville.
- Temperance reform.
- Gambling made a felony.
- Benevolent institutions.
- Presidential election.
- President Cleveland's appointments in Kentucky.
- Sudden death of Vice-President Hendricks.
- His successor.
- Present Kentucky congressmen.
- Live State questions.
- Present finances.

In the very midst of the surrenders which gave token of assured peace, and before the reverberations of the last artillery had died away, the last drum-beat of the war heard, and the last flag furled to rest, the rent and divided nation was shocked with the news of one of the most revolting and unfortunate tragedies that history records of any age. On the 14th day of April, 1865, five days after the surrender of Lee at Appomattox, President Lincoln was assassinated at Ford's Theater, Washington City, by a pistol-shot in the head, at the hands of J. Wilkes Booth, the actor. The event thrilled every section of the country with a consternation and horror such as were never before felt upon the Western Continent. The laurel wreath of victory over the great rebellion was woven and ready to be placed upon his brow, crowning him with honors and fame unsurpassed by those conferred upon any man of ancient or modern times. His obscure and mysterious birth, the poverty and privations of his infancy, the struggles and discouragements of his backwoods boyhood and youth, the splendid manhood wrought out of all these experiences by indomitable purpose and inflexible principle, the public recognition of his virtues and worth, his call to liberate five million human beings from bondage, and to lead the nation

safely through deliverance from a mighty rebellion, the triumphal honors ready to be conferred by grateful millions, the bloody assassination at the very point of culmination of a marvelous career—all, together, complete the picture of a life of romance, beside which fiction fades into tame insignificance. The true attributes of Mr. Lincoln's character had by this time come to be understood and appreciated by foes as well as by friends. His simplicity of spirit and ingenuous nature were unaffected by the artificial surroundings of official exaltation. His loyal homage to his convictions and the intense sincerity of his nature exposed to public view the motives of his actions and administration. The sternness of resolution with which he executed the inexorable laws and military decrees of a revolutionary period was mitigated in the tenderness of a sympathy and concern he often expressed toward the people who had arisen in rebellion against his authority. The wise and flexible discretion with which he gave audience and heed to the counsels of others, while holding supreme mastery of the situation of authority with marvelous judgment and skill, had fully marked him as one of the most sagacious statesmen of the age. The solicitous overtures to win back to submission the defiant and hostile people, and to reimburse for the loss of slave property as far as public sentiment and policy would admit, and stay the shedding of blood, were not forgotten to the memory of those now subdued by the issue of war. The manly sympathy and humane expressions toward the vanquished rebels on the surrender of Lee led the people of the South to hope for generous terms and treatment at his command.

For many obvious reasons, the death of President Lincoln at such a crisis in the affairs of the nation was accepted as a common calamity to the country, but more to be deplored by the people of the South than by those of the North. If he had been the open enemy of the former, his character and conduct throughout the trial period of responsibility had extorted from them respect for his integrity of motive and admiration for the qualities of manhood that forgot not to be generous and kind to a fallen foe. It was now feared that, by his death, the processes of a return of the seceded States to the Union, of the reconstruction of their governments, and of a restoration of equal civil rights to all, would be more obstructed and difficult—a fear that was too sensibly realized in years after. The South could better have lost any other man.

The war was over, but there remained in Kentucky, as in all other portions of the country, a class of men in both military and civil offices; with their mercenary dependents, whose interests and dispositions were to keep up an appearance of strife and danger, and thus to continue the exercise of the war power, seemingly more from passion or interested motives than for the peace and order of good government. The Southern rights element were disposed to be passive for the time, while the majority of the Union party lent their support to a full restoration of civil rights to these and a

complete return of unobstructed civil authority over the military. The result of this state of affairs was to force an issue which divided the Union party into the Conservative and Radical wings. At the August election, James H. Garrard (Conservative) was elected State treasurer over William L. Neale (Radical). The Senate stood twenty Conservative and eighteen Radical, and the House sixty Conservative and forty Radical. With Governor Bramlette, the State government was fairly and fortunately Conservative. The executive, legislative and judicial departments were in accord in the sentiment and expression to subordinate the military to the civil arm of government once more. But the machinery of the State government was not in a condition to operate smoothly as yet, whatever may have been the good intentions.

On the 11th of March, 1862, the Legislature had passed the expatriation act, requiring that every person who came to the polls to vote should state on oath "*that he has not entered into the service of the Confederate States, nor of the so-called provisional government of Kentucky, in either a civil or military capacity,*" etc. This law had not been repealed; therefore, Governor Bramlette, on the 22d of July, 1865, preceding the election in August, issued his proclamation to the officers of elections and citizens that it must be enforced. Though it was offered in apology that this would leave the soldiery without any excuse for interfering with this election, the governor was severely censured for his proclamation. The act had been declared unconstitutional by Judges Joseph Doniphan and Richard Apperson, in their respective circuits; and now that the war was over and peace restored, it was generally thought that it was an unwarranted exercise of authority on the part of the executive. Besides, it seemed to have the opposite effect from that intended, as it was rather interpreted as a license by military officials to interfere with the voting at many places, and so much so as to probably affect the result in some districts.

The election for representatives in Congress came off at the same time in August with that of legislators and State treasurer. The results were that of the Conservative candidates there were elected in the First district, L. S. Trimble; in the Second, B. C. Ritter; in the Third, Henry Grider; in the Fourth, A. Harding, and in the Seventh, G. S. Shanklin. Of the Radical candidates, there were elected, in the Fifth district, L. H. Rousseau; in the Sixth, G. C. Smith; in the Eighth, W. H. Randall, and in the Ninth, S. McKee. It would be but conjecture to express an opinion as to whether the result in any case of the above would have been different in the absence of military or other interference with the freedom of suffrage, certainly not in more than two, if in these. There were a number of indictments by grand juries throughout the State for such unlawful interference, and these were made quite annoying and expensive to the petty military officials who so perverted their callings as to engage in such practices.

In the November Circuit Court at Cynthiana, S. F. January recovered five thousand dollars, and J. R. Curry five hundred dollars, damages against Captain Cranston, for interfering with their right to vote. For similar interferences with voters at Alexandria, Campbell county, attended with arrests and inhuman treatment, by Captain J. W. Read, of the Fifty-fifth Kentucky, he was fined four thousand dollars, and Captain J. H. Lennin, of the Fifty-third Kentucky, five hundred dollars, and, being unable to pay, they were cast into jail. Other indictments were made, but in a number of instances the prosecution was not followed up. In February, 1866, the Legislature declared vacant, on account of such illegal interferences, the seats of Dr. A. Sidney Allen, R. Tarvin Baker, M. M. Benton and L. B. Goggin, of the Senate; and of Representatives Ballew, L. Barber, U. P. Degman, J. Hawthorn, R. Gregory, J. Wilson, J. Stroube and D. Murphy, and ordered new elections to be held to fill the vacancies in a lawful manner. These proceedings on the part of the Union civil authorities had a most salutary effect upon that characteristic class, who had discreetly and adroitly survived the perils and period of war; but who were, on the restoration of peace, most reluctant to permit the privileges of military license to slip from their fingers. Their day of abused power and factitious importance was evidently very nigh to its sunset, to their own discomfiture, and to the joy of a grateful people.

It was the desire and intention to subject Kentucky and other border Union States to the same visitation of carpet-bag domination, for riotous rule and spoliation, on the part of some of this vulture class who so freely plundered eleven secession States. But the effort was feeble and abortive. The great mass of the Union men were themselves prompt and resolute to resist any such corrupt invasion of the integrity of Kentucky sovereignty. Indeed, there were but few native Kentuckians to be found in any party who would countenance such an attempt at the deliverance of power to an unworthy and disreputable set of adventurers. The whole people of the State, therefore, owe a debt of gratitude to the Union party for the honorable and patriotic resistance and defeat of the insidious purpose, and the early restoration of civil order.

General John M. Palmer, who had succeeded General Burbridge, was in command of the Kentucky department at the close of the war, and proved himself to be a man of fair impulses and moderation, in the main: yet, surrounded by the conflicting and varying influences of the hour, he was occasionally betrayed into some measures and acts of frivolous and petty tyranny. In April, he issued an order guaranteeing protection to all Confederate soldiers returning and remaining peaceably at home, of which many availed themselves. Another order forbade the arrest of any except real offenders. In May, he disbanded all the independent Federal scouts. In October, on his recommendation, four thousand colored troops then in Kentucky were mustered out, leaving about six thousand yet in service in the State. It was

not until May, that the enlistment of negro troops was discontinued; and this unnecessary continuance of enlistment was with a purpose not of military necessity. Indeed, the most puerile, annoying and obnoxious acts of General Palmer grew out of a seeming nervous and uncontrollable disposition to intermeddle with the frail tenure of relation yet remaining between masters and slaves, and to aid and incite the colored people to every effort toward effecting general emancipation from the skeleton of slavery, which was already doomed to an early extinction.

Until the order of May 8th came from the war department to discontinue the enlistment of negro troops, there were a number of Federal officers who made themselves gratuitously officious in this work of supererogation, principal among whom was General Brisbin. In a letter to Governor Bramlette, of April 22d, he boasted that "negro enlistments had bankrupted slavery in Kentucky, over twenty-two thousand valuable slaves having gone into the service. Nearly one hundred are yet enlisted daily, freeing, according to the law of Congress, March 3, 1865, an average of five women and children to each man. Thus some four hundred black people are daily made free through this instrumentality." General Palmer lent other aid to the work of emancipation. By his orders, thousands of passes were issued to negroes over the ferry at Louisville, and over the railroad to Cincinnati, from Central Kentucky, to encourage and enable them to escape from any claims of ownership by their masters. Many petty conflicts and annoyances grew out of these proceedings. In the Carlisle Circuit Court, Judge L. Wat Andrews had decided unconstitutional the late act of Congress liberating the wives and children of enlisted negro soldiers, a decision confirmed by the Court of Appeals in December following. Generals Palmer and Brisbin were indicted in Louisville, "for abducting slaves and otherwise violating the slave code of Kentucky," and the former was placed under bond for five hundred dollars.

On the 8th of December, Secretary Seward issued a proclamation that the requisite constitutional three-fourths of the States had ratified the thirteenth amendment, that "neither slavery nor involuntary servitude should any longer exist in the United States, and that the same was now a part of the United States Constitution." This was the end of the institution, and all pretext for any future conflict, as to any rights existing in the relation of master and slave, was forever removed. In March, 1866, General Palmer resigned his commission as commander of the District of Kentucky, and, no doubt, to the mutual satisfaction of himself and the people. In course of time, the restoration of the writ of *habeas corpus*, which had been made to the States of Maryland, Delaware, West Virginia and Missouri, but withheld from Kentucky, was extended to the latter, and did much to restore civil authority to its legitimate jurisdiction. The "peculiar institution" rapidly disappeared, after many months of disintegration, losing to Kentucky about one hundred and fifty million dollars

of property in slaves, for which the Commonwealth has never asked or received any reimbursement.

On its assembling in December, the Legislature enacted a law of general pardon to all persons indicted by the courts of Kentucky for treason against the Federal government through acts done within the State. It repealed the act of October 1, 1861, declaring any citizen who invaded Kentucky as a Confederate soldier guilty of felony, to be punished by confinement in the penitentiary from one to ten years; also the expatriation act of March 11, 1862, and the act requiring ministers and others to take the oath of loyalty before solemnizing marriage, and another requiring a similar oath from jurors. Thus, one by one, every obstacle to restoration to civil rights and reconciliation which had grown up out of war measures was removed. The policy was one of manly magnanimity on the part of the Unionists in power toward their old neighbors, kindred and companions in citizenship. The confidence of intimacy assured those in authority that, though differing to opposite extremes as to the choice between the Federal or Confederate side in the great war issue, their less fortunate brethren of the Commonwealth were not less honest, sincere and brave than themselves; nor were they less to be trusted on their return from the surrenders of the war, in the good faith with which they grounded the arms of rebellious strife forever and resumed the functions and duties of loyal citizenship under the flag of the Union.

Another mischievous institution which was established with impertinent intrusion in Kentucky, and which became very obnoxious and irritating to the great mass of both parties, was the Freedmen's Bureau. Basing its right to existence on the plea that the people of Kentucky, a State that had been steadily loyal, and which had sacrificed as much to sustain the Union as any other, were not qualified or competent to manage their own internal affairs, a plea insulting to their intelligence and integrity, it received but the merited condemnation and indignant protest of the better citizenship entire, who desired a return of peace and good order without these ill-graced reminders of war and strife. The Freedmen's Bureau assumed a sort of stepmotherly care over the colored population, so recently and so abruptly released from inherited bondage and suddenly possessed of an absolute freedom to do as they might will. The bureau itself seemed an outgrowth and expedient of the inordinate desire of a certain class of governmental dependents, who, fearing their occupation gone with the cessation of all strife, sought every method to continue a rule of militarism that would perpetuate themselves in power at the expense of the Federal treasury. The more patriotic and substantial soldiery and officials had returned to the honest occupations and industries of private life. The bureau men were the shifting adventurers who are ever ready to speculate on the opportunities of the hour without regard or scruple for the character of their work or the methods by which they accomplish it. They were of kinship to the

carpet-bag fraternity—the parasitic growth of moral scavenger and spoiler which seems to have ever dormant germ-life in the body politic, but which needs the miasmatic and foul atmosphere of conflict and chaos in times of strife to quicken into vermin form and function, and to swarm and thrive on the refuse and waste of corruption until they disappear again under the sunshine of restored order, prosperity, and happiness. These petty and pestiferous officials assumed patronizing guardianship of the freed men, women, and children, to dictate and control the wages and terms on which they might be employed by the whites, to adjust difficulties between the two races, and to incite and encourage prosecutions against the whites for any grievances the negroes might allege. The effect was to delude the ignorant negroes into impossible expectations and cruel disappointments, and to waste months and years in idleness and in illusions of support and protection in such a state, at a time when the whites were wanting their services at fair wages. There was no one greater obstruction to restored industry and gain after the war than this politico-military monstrosity termed the “Freedmen’s Bureau,” and its mischievous results were tenfold greater in the seceded States than in Kentucky.



GENERAL WILLIAM PRESTON.

Of this transition period from anarchy toward reconstruction, Mr. Shaler, from his standpoint, says: “The conduct of the Republicans in regard to the civil rights of the State, the disgust arising from the emancipation of slaves without compensation to loyal owners, the acts of the Freedmen’s Bureau, and other proceedings hostile to the governmental integrity of the State, arrayed an overwhelming majority of the people on the Democratic, which was then the Conservative, side.

“The result of this strenuous, though orderly, struggle of the State authorities, with the excess of the military spirit and the wild and malicious legislation of the Republican Congress, was to drive the State into intense political antagonism to the party that had the control of the Government. This has unjustly been assumed to prove the essential sympathy of the Kentucky people with the Southern cause. All conversant with the inner history of Kentucky will not fail to see the error of this idea. The truest soldiers to the Union cause were the leaders in antagonism to the militarism that was forced on them, such as Bramlette, Jacob, Wolford, and a host like them,

who were ready to battle with one hand against the rebellion, and with the other to combat for the life of the civil law. While the Republican party in Congress was led by men who knew nothing of war, and who were rather enriched or benefited by its continuance, this people, with the battle about their firesides, had a double combat to wage. That they did not falter in either duty is much to their credit. When the war ended, therefore, the parties in Kentucky were reorganized on new lines.

"Perhaps the most satisfactory feature in the close of the civil war was the really quick restoration of civil order in the State, and the perfect reunion of the divided people. In this course the people of Kentucky set an excellent, but unheeded, example to the Federal Government. By this action they avoided having a large part of their citizens parted in spirit from the life and work of the Commonwealth. The historian and true statesman will always admire this episode of reconciliation. The effect is since seen in the wiping-out of enmity that came to the whole country after the deplorable reconstruction troubles of the South. In Kentucky, it came at once; there was no torturing and persecuting period of doubt, no hesitation in the return of peace, no gendering of hatreds, as farther South."

Just as easily and quickly might civil order, loyal submission, and complete reconciliation have been restored in every seceded State, had the Federal administration and Congress, with wise statesmanship and exalted manhood, extended toward them the same policy of restoration that was happily enforced in Kentucky, instead of the miscalled *reconstruction* measures of carpet-bag rapacity and Freedmen's Bureau intrusions, which for more than ten years spread material and political ruin over an impoverished and prostrate people. The conservative Union party of Kentucky found the opportunity to show that if they resisted the rebellion that would destroy the Union they venerated, no less did they repudiate and condemn the usurpation that would wreak its vengeance, and practice its wrongs and extortions, upon any part of the citizenship who had sought an honest refuge under the grateful shadows of the sovereignty of the Commonwealth.

Pending the war, and to January 1, 1866, Kentucky borrowed \$4,095,314, for war purposes. During the same time she disbursed \$3,331,077 for said purposes, and refunded to banks, of money borrowed, \$661,941. A balance of \$81,051, due from quartermasters and others, and \$21,245, cash on hand, made up the amount borrowed. The outstanding claims against the military department were \$100,491; balance due banks, \$2,601,585; balance due Kentucky by the United States Government for advances, \$2,438,347. The most of the latter due has been collected by the State.

The financial credit and condition of the State were fortunately maintained throughout the four years of war, with an ability and integrity of management equal to other periods of its history, and inferior to that of no other Commonwealth of the Federal Union at the time. At the outset of the

war, the report of the auditor showed that the State was owing \$4,729,234; of this, \$1,381,832 was the "school fund" proper, and \$316,884, the "county-school fund," due for unexpended balances in the counties. For the 1st of January, 1865, Auditor W. T. Samuels reported the indebtedness of the State chargeable to the sinking fund \$5,284,037; and for credit on the same, cash assets, \$1,017,192; leaving a balance of \$4,266,845. The State held assets to meet this indebtedness \$4,830,475, in turnpike and navigation stocks, and \$1,562,819, in bank and railroad stocks, worth, proximately, \$2,500,000. The credit of the State was maintained at a proximate standard of par throughout the belligerent period; and there was no time of the desolating and sanguinary strife, that the Commonwealth was not able to borrow all the money it needed, at a reasonable rate of interest. In singular contrast to this admirable State credit, was the credit of the United States Government, which for years negotiated its six per cent. bonds with embarrassing delays and difficulties, upon both the home and foreign markets, and with discouraging results; whose issued currency had sunk as low as two hundred per cent. beneath par value, and was, long after the restoration of peace, offered in exchange for coin at a discount of fifty per cent. There were no better indices to the real state of popular opinion and confidence as to the issue of the great civil war, than the vibration of the financial pulse in response to its alternating phases.

On May 29, 1865, Judge Joshua F. Bullitt, for reasons of alleged disloyalty set forth, was removed by address by the Legislature from his seat on the Appellate bench, and on June 5th Governor Bramlette appointed to the vacancy Judge William Sampson, of Glasgow, who was regularly elected to the same office in August after. Judge Sampson dying on February 5, 1866, Judge Thomas A. Marshall was appointed to the temporary vacancy, until the first Monday in August following, when Judge M. R. Hardin was elected to serve out the remainder of the term. At this election the last forlorn struggle was made to enforce military or other party violence, and many incidents of strife occurred, resulting in the killing at the polls of some twenty persons throughout the State. Judge Alvin Duvall was elected clerk of the Court of Appeals, over General E. H. Hobson, the Republican candidate, and a model of the many brave, honorable, and able men of Kentucky, who gave their services to the Union cause, without condition or compromise.

At the opening of the year 1867, it was very obvious that the conservative men of the Union party, forming, perhaps, a majority of the same, had become alienated and intensely hostile to the Republican administration, beginning as far back as 1863, under President Lincoln, and continuing through the indefinite future. The persistent subordination of the civil authorities to the domination of military or martial law; the executions resulting from this armed license; the reign of terror inaugurated by cruel and corrupt commandants of the district; the abrupt proclamation of eman-

cipation; the adoption of the constitutional amendment liberating all slaves, without compensation even to loyal owners in a loyal State; the attempt, after the war ceased, to dismantle the State government, and to force on the people the odious carpet-bag rule; the establishment in the State of the Freedmen's Bureau, etc., were interpreted by these Union men, who had largely led the Federal cause through the darkest days of its perils and despair, as the wanton infliction of indignities, injuries, and insults, which were not only needless and inexcusable, but cruel and ungrateful. So intense were the feelings of resentment in the loyal masses of Kentucky that an irreconcilable division occurred at the termination of the war, within the ranks of these masses themselves, the Radical element supporting the main policy of the Federal administration, and the Conservative opposing. The latter avowed that they had been misled and betrayed by the earlier assurances of the Government, and this asserted breach of faith added to the bitterness of their opposition.

In 1867, the first elections for congressmen and State officers were to be held since the close of hostilities. For the first time, general disabilities and difficulties were removed from citizens who had returned from Confederate service, and these were permitted the full exercise of the right of suffrage, and of holding offices of state. They were not diffident or dilatory in coming forward to assert these rights. On the 4th of May, a special election for congressmen was held throughout the State, resulting in a vote of 9,787 for L. S. Trimble, Democrat, and 1,780 for G. G. Symmes, Union, in the First district; John Young Brown, Democrat, 8,922, B. C. Ritter, Union Democrat, 1,155, and S. E. Smith, Union, 2,816, in the Second; E. Hise, Democrat, 7,740, and G. D. Blakey, Union, 1,201, in the Third; J. Proctor Knott, Democrat, 8,199, W. J. Heady, Union Democrat, 508, and M. C. Taylor, Union, 2,277, in the Fourth; A. P. Grover, Democrat, 7,118, R. T. Jacob, Union Democrat, 2,417, and W. A. Bullitt, Union, 742, in the Fifth; Thomas L. Jones, Democrat, 9,488, and W. S. Rankin, Union, 3,839, in the Sixth; James B. Beck, Democrat, 9,716, C. S. Hanson, Union Democrat, 1,388, and William Brown, Union, 1,664, in the Seventh; George M. Adams, Democrat, 7,690, and M. J. Rice, Union, 7,175, in the Eighth; and John D. Young, Democrat, 9,042, T. M. Green, Union Democrat, 862, and S. McKee, Union, 7,563, in the Ninth.

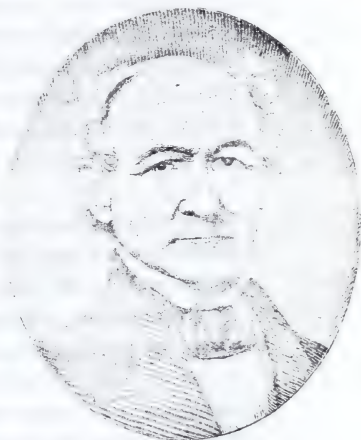
On the 5th of August, at the regular election for State officers, John L. Helm, Democrat, for governor, received 90,225 votes; W. B. Kinkead, Union Democrat, 13,167; S. M. Barnes, Republican, 33,939; Helm's majority over Barnes, 56,286, and over Kinkead, 77,058. By about the same vote, John W. Stevenson was elected lieutenant-governor, over H. Taylor and R. Tarvin Baker; John Rodman, attorney-general, over John M. Harlan and John Mason Brown; D. Howard Smith, auditor, over J. Smith Hurtt and Silas Adams; J. W. Tate, treasurer, over Alfred Allen and M. J. Roark; James A. Dawson, register of the land office, over J. J. Craddock

and J. M. Fiddler; and Z. F. Smith, superintendent of public instruction, over B. M. Harney and D. Stevenson.

These elections determined the status of political parties from 1867 to the present day. The feeble party passed away, and appeared no more. It became evident that there was no middle ground to be occupied between the old Democratic party contending for an administration of the Federal Government literally within constitutional limits, and the Republican party following the fortunes of, and lending support to, an administration born of the issues and necessities of the war, and yet ruling States by the might of militarism.

These results show into what party forms the political elements were inclined to crystallize out of the chaos and disturbance of the Civil war. First we perceive a tidal and instinctive current of disposition to reinstate the Democratic party on the *ante-bellum* theory and principles, and the phenomenal effect of this leaning, in its accomplishment by a fusion of the Conservative Union with the Southern Rights elements.

Under normal conditions of governmental policy and treatment, moderated with magnanimity and forbearance, and directed with considerate and humane statesmanship, not only should the entire mass of the Union party of the Southern and border States have been won and held to the support of the victorious administration, but this powerful nucleus of strength should have been heavily re-enforced from the ranks of the Southern Rights men themselves. Thus might probably have been secured to the support of the administration party a majority, or nearly all, of the old fifteen slave States, and in a legitimate and honorable way. The dominant party in possession of the Government, and of all its potential forces, was probably in the main moved with as good intentions as were possible to the statesmanship of the age, but half-leavened as yet with the highest type of intelligence and justice to which the Cross will at last elevate our civilization. A distinguished historian of the present century was led to say, that from his readings and study of all history, he believed that a great majority of the cruelties and tyrannies perpetrated by those in supreme power, in all ages, were done with good intentions. When we consider that monarchs are ever liable to be influenced by the flattering pleas of courtiers and ambitious favorites, and the rulers of republics by the wiles of demagogues and schemers, all under the plausible pretexts of patriotism or public necessity, we may not be surprised that the whole machinery of the Federal Government was for



GOVERNOR JOHN L. HELM.

years prostituted to sustain an organized horde of spoilsmen and political bandits over the States of the South. Had the powers at Washington been moved with the spirit of justice and humanity which animated the hearts of the Republican leaders in Kentucky, it would have saved this great reproach upon our nation and history.

We have enumerated some of the unfriendly acts, and imperfectly described the unfriendly animus, of the Federal administration, by which it broke down all confidence and fraternity and provoked the resistant hostility, mainly, of the intelligent masses of the people in the Southern and border States. Its encroachments upon the sovereignty of the States and the liberties of the citizens, under the war powers usurped and concentrated in the Federal unit, and the continued exercise of these, long after peace, through military satrapies, Freedmen-Bureau agencies, and carpet-bag officials, alarmed and exasperated the powerful Conservative Union party, and drove it in self-defense into formidable opposition. The subjugated Confederates, broken in power and fortune, conceded their cause lost, slavery gone, and the issues of war ended. There was no outlook for them but a return to the old Union, submission to its authority, and to be at peace once more, if permitted. Had the Government now been magnanimous, forbearing and just, to restore to citizenship and self-government a sense of obligation and gratitude, and the assurance that their best interests and happiness would be subserved, would have built up overwhelming majorities for the administration party in every State South, by natural sequence. But their *post-bellum* condition under the duress of militarism and the rapacities of the carpet-bag dynasties was as deplorable as the condition of war itself. They were left no alternative. All were driven for self preservation into the ranks of the Democratic opposition.

Thus the organization and overpowering strength of the Democratic party throughout the South was the reactionary product of resistance and protest against the usurpations, the injustice, and the abuses of the Republican administration, in its harsh and remorseless exercise of extraordinary powers. Had Lincoln lived, this might not have been.

It will be borne in mind that the ballot in the late elections was confined entirely to the whites in Kentucky; the colored men were, as yet, denied the right of suffrage. On the 3d of September, John L. Helm was inaugurated governor while lying dangerously ill at home, and on the 8th breathed his last. On the 13th John W. Stevenson, lieutenant-governor, was



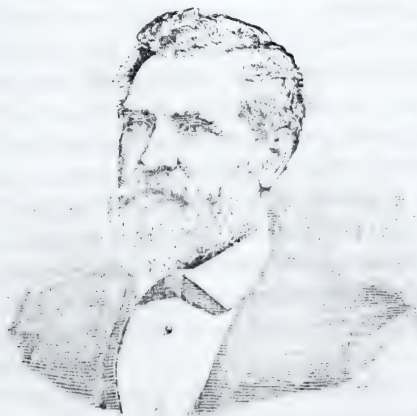
GOVERNOR JOHN W. STEVENSON.

inaugurated governor, at Frankfort, by order of succession. General Frank Wolford was appointed adjutant-general, and Major Fayette Hewitt, quartermaster-general, both of whom, in their official capacities, rendered valuable material services to the Commonwealth during their terms. In General Hewitt's first report, in December, he shows that for the year 1867, \$399,224 had been refunded to Kentucky by the United States Government, on account of war claims; and that \$1,468,937 was still owing on the same account, to facilitate a settlement for which proper steps were being taken.

In some portions of the State, remnants of the bands of guerrillas, bushwhackers and lawless refuse of the war, organized themselves into independent associations, under the style of "Regulators," under plea or threat of visiting punishment upon citizens against whom were real or alleged offenses. As almost inevitably follows, in cases where one or more irresponsible individuals assume at once the functions of the regularly-constituted authorities of judge, jury and executioner, the license is indulged to revenge private grievances, and to gratify the lust of lawlessness. The results were heralded abroad in reports of murders, violent assaults, and terrorisms in a number of communities.

Governor Stevenson promptly issued his proclamation, "that such lawless associations of men would not be tolerated, and that steps would be taken to bring the guilty to speedy punishment." General Wolford was instructed to recruit and equip three volunteer companies in Boyle, Marion and Casey counties, for the purpose named. Some time and trouble were taken to break up these organized disturbers of the public peace, but it was finally effected.

In his message to the Legislature, Governor Stevenson called attention to the fact, that of the nine Kentucky representatives in Congress, only George M. Adams had been admitted to his seat. "Kentucky, entitled to nine representatives, has but one." On July 3d, when L. S. Trimble,



SENATOR JAMES B. BECK.

Thomas L. Jones, John D. Young and James B. Beck went forward to the clerk's desk to be qualified as members, they were interrupted by Samuel McKee, who was contesting the seat of J. D. Young. Their cases were referred to the committee on elections, to report whether, at the election, loyal voters were not overawed by rebel sympathizers, and also as to the loyalty of the said members claimant. The House afterward refused a seat to Young, and gave it to McKee.

The message of Governor Stevenson to the General Assembly convening in December, 1867, is a very lucid and able exposition of the condition of the finances and domestic affairs of the Commonwealth at the time, as well as of the policy of the Federal Government toward the State, and we therefore extract from it a summary of historic interest. Of the finances of the State, he says:

"The public debt of the Commonwealth, on October 10th, amounts to \$4,611,199. This sum includes the school fund of \$1,632,297, which deducted from the debt proper and payable leaves subject to payment, October 10th, \$2,978,902. There was to the credit of the sinking fund on that date in the treasury, \$1,519,783. In addition there is due the sinking fund, for money borrowed by the State, \$381,239, which added to the amount in the treasury makes the total to the credit of the sinking fund, \$1,901,022. Were this amount of cash on hand applied to the extinguishment of the State debt, the remainder of that debt, exclusive of the school fund, would amount to \$1,077,877.

"This indebtedness is represented by State bonds of different maturities, bearing interest at the rates of five and six per centum per annum. This amount of bonded indebtedness also includes \$544,000 of the military bonds of the State, issued during the war, and designated as the remainder of the war debt. For the purpose of liquidating this debt, certain sources of State revenue were set apart by the Legislature, constituting what is known as the *sinking fund*. These resources were, from time to time, increased by the General Assembly. The Constitution provides that they may be increased, but shall never be diminished, until the State debt is paid.

"The sources of revenue thus set apart as sacredly belonging to the sinking fund were taxes paid by the banks, by insurance companies, brokers, etc.; the rentals of the penitentiary, and receipts from slack-water improvements; stock owned in certain banks, railways and turnpikes. Many turnpike stocks are much below par value. If all these stocks were worth par, the resources of the sinking fund, independent of the \$1,901,022, cash in the treasury, would be \$6,103,294. Add the cash item named, and the total resources of the sinking fund, at a par estimate, are \$8,004,317. Were the entire indebtedness of the Commonwealth liquidated, there would still remain to the credit of the sinking fund \$7,926,438. This would be the apparent balance. From it must be deducted the depreciation of the turnpike stocks, and added the premium on the bank stocks over their par value. It may safely be assumed that, after the extinguishment of the entire indebtedness, several millions surplus would remain to the credit of the sinking fund.

"On January 1, 1867, there was due from the United States Government to this Commonwealth, for money advanced for war purposes, \$1,831,706, of which \$399,224 has since been paid, leaving yet due \$1,432,482. Our

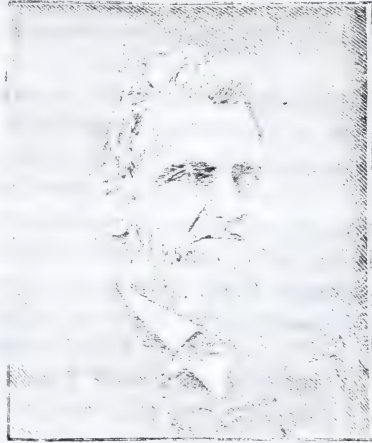
State agent, Colonel Pennebaker, is actively pressing the payment of this balance upon the proper authorities at Washington. I recommend, as a measure of sound policy, the payment of the State debt at the earliest practicable moment, as but three per cent. is paid for the money on hand on deposit in the banks, but little more than one-half the interest we pay on our bonds."

The governor further submitted a special report of the superintendent of public instruction, and recommended "its matured suggestions to careful consideration. The Superintendent attributes a want of greater success in our common-school instruction to a want of means and to certain defects in local organization, which require amendment." This special report embodied the question of the Legislature submitting to a vote of the people the increase from five cents to twenty cents upon the one hundred dollars of taxable property for the benefit of the school fund, the increase of the school term from three to five months, and trebling the teachers' wages, with an improved management under a better-organized county superintendence and qualified corps of teachers. The ratification by popular vote in 1869, and the successful prosecution and development for years of the programme mapped out in the report, gave the basis and structure of the present system of common schools in Kentucky.

The message refers to the condition of the State prison at length. One hundred and nine thousand and twenty-seven dollars were appropriated by the preceding Legislature for the purpose of enlarging and extending the penitentiary building, which work would soon be finished. These accommodations were imperatively demanded. The contract was for two hundred and four new cells. It was obvious that more would be needed, and it was recommended that an appropriation be made for one hundred and eight additional cells. In 1863, when Harry I. Todd entered upon the duties as lessee, there were but two hundred and forty-seven prisoners confined. Twenty years later they had increased to five hundred and fifty. At the date of the message, there were three hundred and thirty-six cells occupied, and on the completion of the new ones there were five hundred and forty, or ten less than the number of prisoners. And as the latter so rapidly increased, the additional one hundred and eight cells were found needed. The governor earnestly recommended a thorough revision of the prison discipline, mainly urging that the indiscriminate mixing of men and boys, and women and girls, without reference to their moral grade and condition as criminals, be discontinued or guarded against. The hardened, the profligate, and the abandoned should be separated as far as possible from the young, the helpless, the unfortunate in crime. No system of prison discipline which does not rest on Christian benevolence and the enlightened principles of civil polity is worthy of a free people. It was, therefore, recommended that "a house of refuge for the young in crime, next to a com-

mon-school system, which has been already reverted to, is one of the first wants of a free Commonwealth."

In reference to Federal relations, the message continues: "If we turn our eyes to ten States of the Union, we behold them stripped by Federal legislation of their equality, their sovereignty, their right of suffrage, and all right of representation in either house of Congress. All the bulwarks of personal freedom—*habeas corpus*, freedom of speech, freedom of the press, trial by jury—have been ruthlessly taken away. Palpable and flagrant as these violations of the rights of the States are, I am pained to say we are confronted with more fearful usurpations. The recent scheme of congressional reconstruction of ten States of the Union and the practical operations now occurring under it must, in their efforts, if successful, sweep away every vestige of our Federal system of free government. What is the remedy? Not by State veto of any Federal enactment. No such power, in my judgment, is possessed by any State to nullify at will a Federal enactment. The remedy, then, is not in secession. Its madness has too recently been illustrated in blood to find any advocates."



GOVERNOR PRESTON H. LESLIE.

Governor Stevenson, though ever a pronounced friend and advocate of States' rights, limited only by the rights of the Federal Government as defined and expressed in the Constitution, was as firmly opposed to the doctrine of secession and nullification.

On the assembling of the Legislature, Hon. William Johnson, of Bardstown, was elected by the Senate to preside over that body and *ex-officio* lieutenant-governor of Kentucky, in place of John W. Stevenson, now governor. In January before, Garrett Davis had been re-elected United States senator for six years from March 4, 1867, over Henry D. McHenry, by but two votes. In February, 1868, James Guthrie having resigned his seat in the same body on account of ill health, Thomas C. McCreery was elected by the Legislature to the vacancy. In August, 1868, Governor Stevenson was regularly elected governor, and B. J. Peters again elected to the Appellate bench.

The fourteenth amendment to the Constitution of the United States, defining and conferring citizenship, including the colored race, though rejected by the Legislature of Kentucky, had in 1867 received the requisite vote of the majority of States for its adoption, and in 1869 the fifteenth amendment proposed was also rejected by our Legislature, though it was shortly after

ratified by a sufficient number of States to make it the law. It reads as follows:

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

"SECTION 2. The Congress shall have power to enforce this article by appropriate legislation."

The concession of the full privileges of citizenship to the colored freedmen in Kentucky came slowly and with apparent reluctance on the part of the party in power. The fourteenth and fifteenth amendments, conferring citizenship and suffrage respectively, were stubbornly resisted, and very much from a sense of defiance at the obnoxious intrusiveness of Federal interference. The extreme Radical element in the State, in full sympathy to fasten these results with a precipitancy in advance of public sentiment, lent its acquiescence to this policy of Federal coercion which invested the constitutional majority with the authority of military absolutism over the ten disarmed and dismantled Southern States. These citizens' rights must have come to all, and in reasonable time. Indeed, many of the Democratic party already favored their concession, as they did the right of the negro to testify in the courts, and which a majority of the party conferred in due time after, as they subsequently did equality of rights and privileges in the common schools. Of the justice and ultimate disposition of all these measures, there was a common consent of the wiser men of both parties, the Republicans

urging that what was right should be enforced at once, the Democrats awaiting the education and growth of public sentiment until assured of a supporting majority. The great mass of the leaders of the former party, earnest, honest, and patriotic, believed and pleaded that the control of the old slave-State governments could not be entrusted to the white citizenship so recently in armed rebellion against its authority. And with the plausibility and force of ancient historic precedent it was argued that they would reassert in some form a mastery over the colored freedmen, deny to them the rights of free and



HON. JOHN G. CARLISLE.

equal citizenship, and reduce the State governments in a measure to the *ante-bellum* status.

Conceding all honesty to these views held, we can but believe that they were based on premises which were untenable and misleading. They would have been justified in the centuries past, when the authority of force paid no respect to equal manhood, and when the honor and intelligence of the subject counted for nothing. But they undervalued and depreciated the nobler qualities of modern civilization in refusing to credit the good faith and integrity of the intelligent whites of the South. Instead of the twelve years of carpet-bag corruption and spoliation, and the impoverishment and debasement of these State interests, there might have been, in less than half these years, a reconstruction upon the basis of honor, self-interest, and intelligence, by the deposed and disbarred classes—the only element of these populations capable at the time of good and honest government.



WILLIAM O'CONNELL BRADLEY.

On the assembling of the biennial Legislature, in December, 1869, P. H. Leslie was elected president of the Senate. As the term of United States Senator Thomas C. McCreery would expire in March, 1871, the Assembly proceeded to the election of a successor; and after a spirited and protracted contest, John W. Stevenson was elected over Mr. McCreery. This result vacated in due time the office of governor, and on the 10th of February, 1871, John W. Stevenson sent in his resignation, to take effect on the 13th, Preston H. Leslie succeeding him, by virtue of his position as the presiding officer of the Senate, for the few months remaining of the term.

On the assembling of the Democratic State Convention, May 3d, P. H. Leslie was nominated for governor and John G. Carlisle for lieutenant-governor, for the regular term of four years. There were also nominated, for auditor, D. Howard Smith; for treasurer, James W. Tate; for attorney-general, John Rodman; for superintendent of public instruction, H. A. M. Henderson; for register of the land office, J. Alex. Grant. Opposed to these, respectively, the Republican State Convention nominated John M. Harlan, George M. Thomas, William Krippenstapel, Smith S. Fry, William Brown, W. E. Moberly, and J. K. McClarty. The Democratic ticket was elected by the reduced majorities of about thirty eight thousand, in consequence of the accession of the colored vote to the Republican ranks, following the adoption of the fifteenth amendment. It was an important episode in the suffrage rights of Kentucky, as it was in many of her sister Commonwealths.

In the resolutions adopted in the Democratic Convention, the usual principles and sentiments were expressed. In those of the Republican body, the sentiment was announced in the last resolution, "We earnestly desire the restoration of friendly relations with the people of our sister States lately in arms against the national authority, and earnestly wish for them all the



JUDGE WILLIAM LINDSAY.

blessings and prosperity to be enjoyed under a republican form of government. *We are in favor of complete amnesty to all of our fellow-citizens, of every State, who are laboring under disabilities by reason of their participation in the late rebellion.*" Thus, the honest leaders and masses of the Republican party, while steadily loyal to the principles they had espoused, put themselves on record in terms of condemnation of the abuses and wrongs that were being inflicted upon the subjugated States through the infamous and odious acts of the carpet-bag spoilers.

Their resolutions further held responsible the party in power for the failure to adopt and enforce measures to suppress and exterminate the Ku-klux organizations, whose lawlessness had become a very disturbing cause in some sections; censured the party for its neglect to provide for the education of the colored children, and for refusing the colored man the right to testify in the courts, all of which the Democrats in authority were disposed to, and did, accomplish in a reasonable time after. It is but due to credit here the Republican party with an earnest advocacy and aid of liberal measures for the material and intellectual progress of the people of the Commonwealth, and especially for their uniform and undivided support of all efforts at school reform from time to time. It is but due, on the other hand, to note the fact that all advancement in these directions has been promoted and sustained by the dominant majority of the Democratic party, looking to the welfare of both the white and colored races.

In the message of Governor Leslie to the Legislature, in December, 1871, the financial exhibit for the State is not largely different from that of his predecessor, except in the recurring annual deficits of receipts over expenditures, to which he makes special allusion. The subject was considered at the session of the Legislature, in March, 1871, when an act was passed providing for the sale of superabundant assets of the sinking fund, the payment of the State debt, and the future diversion of all receipts into the treasury to the payment of the current expenses of the government. He estimates the excess of asset resources over the State debt at \$2,401,198, of which \$1,013,098 is the balance due from the United States, on account

of advances during the war. The message discusses at length the lawlessness existing in sections of the Commonwealth, from secretly-organized bands known as "Regulators" and "Ku-klux Klans." Under whatever plausible pretexts such organizations may have assumed to take the law into their hands for the summary pursuit and punishment of the perpetrators of unusual and frequent crimes, the logical result had followed, and the members of these bands themselves had become responsible for the worst of crimes. The governor calls upon the Legislature for its co-operation in breaking up this organized outlawry, and in bringing to justice its guilty members. Especially was this necessary as, under the authority of Congress, the Federal courts were asserting jurisdiction, and the marshals were arresting citizens implicated, bearing them hundreds of miles from home and casting them into the city prisons to await their trials in the Federal courts, and such proceedings worked infinite wrong and hardships to such as were unable to bear the expenses of witnesses, attorneys, etc., in their own defense. Finally, the governor urged upon the Legislature the propriety of an amendment of the laws, admitting the testimony of colored persons in the courts. Soon after, the law was enacted for the suppression of all secret lawless associations, fixing the severest penalties upon persons against whom its execution might apply.



NORVIN GREEN.

In October, 1871, the Louisville, Cincinnati & Lexington railroad, then under the presidency of Dr. Norvin Green, was sold to the Chesapeake & Ohio Railroad Company, in the interest of C. P. Huntington & Co. In the terms of contract, the latter paid fifty cents on the par value for one million of the new stock, and obligated to pay for all, or any part, of the sixteen hundred thousand dollars of old stock which might be tendered them within sixty days, sixty cents on the par value cash, or sixty-five cents on six months' time. The State owning some three hundred thousand dollars of the stock of this railroad, the opportunity of selling this asset and realizing nearly two hundred thousand dollars to the treasury was lost, probably from a want of optional authority on the part of the commissioners. Though the Legislature met December 4th, thirty-seven days after the sale, it was not until January 11th, after, that a resolution was passed directing the sale at sixty-five cents, two weeks after the limitation. The railroad was operated by the purchasers but a few years, when it was sold in bank-

ruptcy, the stockholders divested of all property rights, and the State's interest lost.

Several of the judges of the circuit courts, among them Judges William H. Randall, M. F. Cofer, William S. Pryor, J. Cripps Wickliffe, and H. W.



HON. MILTON J. DURHAM.

Bruce, ventured in advance of legislative provision, on grounds which seemed sufficient, to admit the testimony of colored persons in their courts, until precedent had almost become usage before the enactment of the statute, January 8, 1872.

In 1868, B. J. Peters was elected for eight years to a seat on the Appellate bench, and William Lindsay for eight years, in 1870. The venerable George Robertson having resigned his seat on account of protracted indisposition, September, 1871, William S. Pryor was appointed for the remainder of his term,

and in August, 1872, was elected for the succeeding eight years, and M. J. Cofer was, in 1884, elected to the same bench for a like term. In charging the grand jury in the United States District Court at Louisville, on the 22d of February, 1872, Judge Bland Ballard announced that the jurisdiction of that court in all cases arising under the "civil rights act" ceased January 30th, previous, when the Kentucky Legislature authorized negro testimony. Thus was ended a source of infinite annoyance and irritation to the people of the State.

On the 21st of January, 1873, Willis B. Machen, who had the previous year been appointed by Governor Leslie to fill out the unexpired term of Garrett Davis, deceased, as United States senator, was elected by the Legislature to the same office until March 4th, following; Thomas C. McCreery succeeding from that date for six years, until 1879. The representatives in the Forty-third Congress from Kentucky, 1873-75, were, George M. Adams, William E. Arthur, James B. Beck, John Young Brown, Ed Crossland, Milton J. Durham, Charles W. Milliken, William B. Read, E. D. Standiford and John D. Young. On the 4th of March, Grant and Wilson were inaugurated as president and vice-president, elected over Horace Greeley and B. Gratz Brown.

Two important acts of the General Assembly, in 1873, are worthy of mention. One of these required the governor "to appoint a State geologist, with two assistants, to undertake and prosecute, with as much expedi-

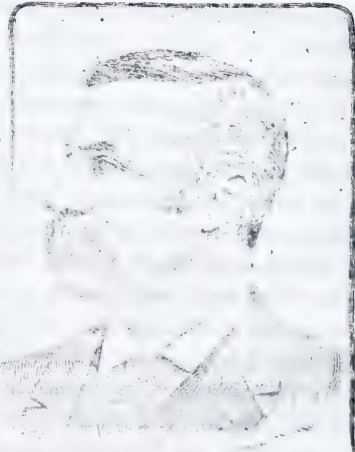
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tion and dispatch as may be consistent with minuteness and accuracy, a thorough geological, mineralogical and chemical survey of this State, to discover and examine all beds or deposits of ore, coal, clays, and such other mineral substances as may be useful and valuable, and with a view to determine the order and comparative magnitude of the several strata or geological formations of the State." Under this act Professor N. S. Shaler, of Harvard College, was appointed chief of the corps of the survey, and subsequently was succeeded by Professor John R. Procter, the present incumbent. The results of the operations of this department, advertising to the world in reports, general and special, the superabundance of valuable ores, of vast timber growths, and of cheap and productive lands, have been, and promise to be, of inestimable benefit in the increase of population, industries and wealth of the State.

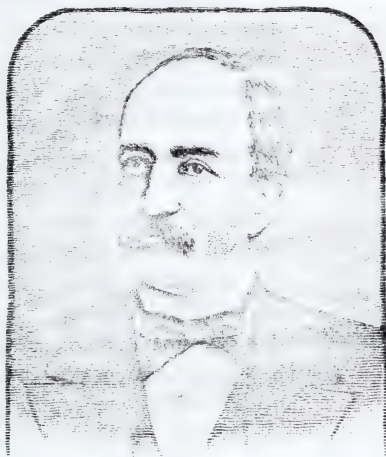
The other law referred to provided for the punishment, by severe penalties, of any person who should "send, circulate, exhibit, or put up any threatening notice or letter, signed with such person's own, or another name, or anonymously;" also, "any two or more persons who shall confederate or band themselves together, for the purpose of intimidating, threatening, or alarming any person or persons, or to do any unlawful act; or who shall go forth together armed and disguised." This act had become an evident and urgent necessity, from the frequent outrages perpetrated by men secretly banded together and in disguise, under the name of "Ku-klux," the vicious remains of the war issues. Another act passed imposed a fine of one hundred dollars, or imprisonment from one to twelve months, or both, upon any person who should attempt to intimidate or deter, by threat or violence, any other citizen from voting at any election in the State. A military committee, appointed to investigate these outrages, reported to the Legislature in December, 1872, that there were abundant reasons for the outcry and complaint against the acts of these unlawful bands of disguised armed men, and evidences of their bold and defiant proceedings: that the laws relating needed some further features of special application; but that the main cause of the non-execution of the existing laws for the prevention and punishment of the peculiar crimes committed



HON. JOSEPH C. S. BLACKBURN.

was the failure of the judges and grand juries to do their duties faithfully; especially of the judges, who have the power of instructing and directing the grand juries in the full performance of their sworn duties. The conclu-

sion of the committee as to the main cause may well be said to be confirmed in the observing and intelligent public mind, and with reference to other and aggravated forms of lawlessness and impunity which have brought censure on the good name of the Commonwealth in the past and present, in other and many sections. Whether it be attributable to the compromising



HON. JAMES B. MCCREARY.

laxity of an elective judiciary, or other cause, certainly the indulgence of the highly-empowered and responsible functionary upon the bench has mainly to do with the artful and dissembling methods by which the most flagrant crimes go unpunished. Over the officers of the court, the attorneys, the grand and petit juries, and the methods and proceedings, the judge is invested with directing and controlling authority, and need only enforce it with firm consistency ordinarily to reach the ends of justice. Where they have shown and exercised these qualities of firmness and decision in their

orderings and rulings, it will be noted these results usually followed—the restraining of lawless violence, and the visiting of due punishment on criminals.

In September, 1873, began the most extraordinary financial panic which this country has ever experienced. Ten years before and in the middle of the period of the great war of the rebellion, an era of speculative adventure, of overproduction and waste, and of unparalleled inflation, set in and continued its onward flow toward high tide, until near the point of culmination. Coincident with this inflation, which was a financial war result, and powerfully contributing to its abnormal growth, was the depreciated value of the national or greenback paper currency in its relation to the gold standard. Before the close of the war, in 1865, it reached the point of three hundred to one hundred, in comparison with gold; then spasmodically at intervals advanced to two hundred, then to one hundred and fifty in its approximation toward par. The prices of real and personal property advanced in proportion with the decline of the mercurial currency with which it was bought and sold, since sensitive gold was hoarded and became an article of merchandise more than of exchange. Lands and realties, grain, stocks and manufactured wares, were doubled in value. All floated upon the wild and swollen current, little dreaming of the Niagara ahead. On the 18th of September, 1873, the crisis was reached, and the event precipitated by the failure of the noted banking houses of Jay Cooke & Co., in New York, Philadelphia and Washington, and the associate house of Cooke, McCullough & Co., of London.

In the brief space of thirty days the cyclone of financial retribution and ruin had spent its most furious force, and spread the country over with its unhappy wrecks, prostrating thousands of commercial and industrial establishments, cutting off the wages of hundreds of thousands of workingmen, overthrowing stock exchanges, banking houses, trust companies and manufactories. In a single day it broke off the negotiation of American securities in Europe, and paralyzed the monetary circulation to a degree that carried distress to almost every home in the country. It was but a repetition of the old story, only in its most gigantic illustration, of a period of abnormal inflation, followed by its inevitable result—collapse and long depression. Of course, Kentucky felt the shock of disaster as sensibly as other portions of the Union, and for the five years following was the scene of failures, of bankruptcies, and of business stagnation, with merchants, bankers, farmers, and others.



HON. ALBERT S. WILLIS.

Before the close of the legislative session of 1873-74, an act was passed providing for a "uniform system of common schools for the colored children of the Commonwealth." A separate fund and separate schools were the main features. The fund was to consist of all the revenues derived from both the State and school taxes—forty-five cents on the one hundred dollars—collected on the assessments of the property of the colored people, a capitation tax of one dollar on each male colored adult, and some taxes from miscellaneous sources enumerated. The general supervision was then placed under the school commissioners of the counties, and the district management left with the colored people.

In the State election for 1875, the Democratic ticket was elected by majorities approximating forty thousand votes: James B. McCreary, for governor, over John M. Harlan, Republican; John C. Underwood, for lieutenant-governor, over Robert Boyd; Thomas E. Moss, attorney-general, over William Cassius Goodloe; D. Howard Smith, auditor, over R. B. Ratliff; James W. Tate, treasurer, over W. J. Berry; H. A. M. Henderson, superintendent of public instruction; and Thomas D. Marcum, register, over Reuben Patrick. Of the resolutions adopted by the Republican Con-

vention was one complimentary to Benjamin H. Bristow, a distinguished citizen and native of Kentucky, who had been appointed and was then acting secretary of the treasury in the cabinet of President Grant. Curtis F. Burnam, of Richmond, was appointed first assistant secretary.

In the message of Governor McCreary, in December following his inaugural, he made his financial summary showing the entire bonded debt of the State to be only \$184,394, all having been redeemed but these. To meet the outstanding indebtedness, the State held \$145,559 in the sinking fund, government bonds valued at \$246,000, and stocks of the bank of Louisville, the Louisville & Frankfort Railroad Company, and turnpike stocks, together amounting to \$350,032, besides a balance in the treasury. The State also owned two hundred and sixty shares of the preferred stock of the Louisville, Cincinnati & Lexington railroad, and 2,178 common shares in the Frankfort & Lexington railroad. There remained unpaid of the war claim against the United States, \$248,863. At the beginning of the fiscal year, October 11, 1874, there was a surplus in the treasury of \$241,741. The receipts of the year were \$1,378,788, and the expenditures, \$1,258,925, leaving a balance in the treasury of \$361,604. Thus it will be seen that in any year since the close of the war the State has been in a financial condition, with assets abundant to pay off her entire indebtedness, and hold a handsome balance in the treasury; to abolish the sinking-



GOVERNOR LUKE P. BLACKBURN.

fund machinery, and in future to have all revenues and receipts directed to the payment of the current expenses, a consummation which will await the tardy processes by which the people of the Commonwealth favored themselves with a new and modern State constitution.

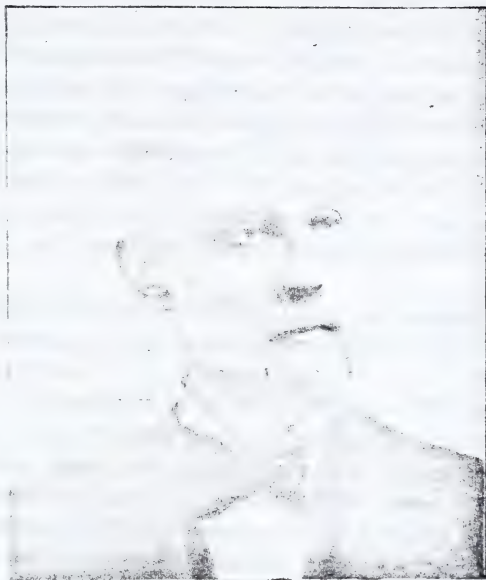
During this year, 1875, the Appellate Court finally confirmed the sale of the State's large interest in certain turnpike stocks to Baldwin & Co., which was made under an act of the Legislature in 1871, empowering the sinking fund commissioners to so sell and convey. The bids of Baldwin & Co. had been accepted, and other terms complied with by them, but the

contract had not been signed nor bond executed. The commissioners, finding the sale too great a sacrifice, refused to complete the contract; hence, the suit, and the result.

The Legislature of 1875-76 established a bureau of agriculture, horticulture, and statistics, providing for a commissioner, "whose duty it shall

be to gather information and statistics upon agriculture, horticulture, and other industrial interests, and to assist and encourage the formation of associations to promote the same, and to make annual reports thereon." This bureau is yet sustained, and has been the agency of much good in the State. Provision was made at the same session for the continuance of the geological survey, and also for the propagation and protection of food-fishes in the waters of Kentucky.

At this session James B. Beck was elected United States senator, to serve six years from the 4th of March, 1877; and at the session in January, 1878, John S. Williams was elected United States senator, to serve six years from the 4th of March, 1879. In November, 1876, the representatives-elect to the succeeding Congress were Oscar Turner, James A. McKenzie, John W. Caldwell, J. Proctor Knott, Albert S. Willis, John G. Carlisle, J. C. S. Blackburn, Philip B. Thompson, Jr., George M. Adams, and Elijah C. Phister.



HON. WALTER EVANS.

In 1876, the election for president and vice-president came off, followed by results the most extraordinary and revolutionary that ever attended a similar event in the history of this country. Tilden and Hendricks were the candidates of the Democratic party; Hayes and Wheeler, of the Republican; Cooper and Carey, of the Greenback or National; and Green Clay Smith and Stewart, of the Prohibition party. Even by the count of the celebrated *returning-board* expedient, Tilden's popular majority was 157,394. Few unprejudiced minds of any party questioned that his majority was as decided in the electoral college. Yet the Republican party in power controlled the vast machinery of the Federal Government, with its bold and able leaders, by the instrumentalities of the carpet-bag agencies in the Southern States, and by the menace of the military forces, determined upon the reversion of the returns made as expressed at the polls, and the control of national affairs for the next four years. The history of the methods and proceedings by which Hayes and Wheeler were counted in as president and vice-president we can not give here. It became apparent to the enthralled people of the South that Tilden and his advisers would submit

without resistance to this remarkable expedient to retain administrative power. The ablest and most sagacious of the Democratic statesmen in the Southern States, held in subjection by the carpet-baggers, seeing that the fruits of the Democratic victory they had so gallantly helped to win were about to be lost, made a virtue of necessity. They prudently sought concessions from the president and his advisers. Their aim and desire were to induce the incoming administration of Hayes to remove the military forces from the subjugated States that the people might drive out the carpet-bag element and their rule of corruption, and restore home government to the citizens. After the inauguration of President Hayes, he generously complied in the case of South Carolina, March 22, 1877, and in other States soon after. Thus ended these odious and corrupt usurpations, after a dynasty of twelve years of fraud and spoliation upon a fettered, helpless, and impoverished people.

Recognizing his superior fitness, President Hayes appointed General John M. Harlan, of Kentucky, a judge of the Supreme Court of the United States, which office he yet fills.

On the expiration of the appellate term of Chief-Justice William Lindsay, in September, 1878, Judge William S. Pryor, having the shortest term, became chief-justice of the State, and Judge Thomas H. Hines succeeded the former upon the appellate bench for the next eight years. In 1881, Joseph H. Lewis was elected to fill the vacancy of M. J. Cofer, deceased.

In the State election for 1879, the Democratic ticket was successful by majorities approximating forty-four thousand over the Republican. The National party ticket polled over eighteen thousand votes. Luke P. Blackburn, for governor, was elected over Walter Evans, Republican, and C. W. Cook, National; for lieutenant-governor, James E. Cantrill, over O. S. Deming and D. B. Lewis; for attorney-general, P. W. Hardin, over A. H. Clark and I. H. Trabue; for auditor, Fayette Hewitt, over J. Williamson and Henry Potter; for treasurer, James W. Tate, over R. P. Stoll and W. T. Hardin; for superintendent of public instruction, J. D. Pickett, over McIntire and K. C. McBeath; and for register, Ralph Sheldon, over J. H. Wilson and Gano Henry.

Governor Blackburn's message embodied some important recommendations, most of which were acted on by the Legislature. Among these were measures for the increase of the revenues to meet the annoying deficits which had repeatedly occurred in the annual exhibits for fifteen years past, or longer; the substitution of the warden system for the lessee plan, and other changes in the penitentiary management; the creation of a commission for the regulation of railroads, and the transfer of the State's improvements in the Kentucky river to the general government. The overcrowded condition of the penitentiary, productive of much suffering and sickness, and unusually fatal, caused Governor Blackburn to exercise the power of pardoning with a liberal hand, until the nine hundred and sixty-nine con-

victs were reduced to a number that could be better accommodated by the seven hundred and eighty cells of the prison.

In the presidential election of 1880, the Hancock and English electors, Democratic, received in Kentucky 148,715 votes, against 106,306 for the electors for Garfield and Arthur, and 11,499 for Weaver, National. Garfield and Arthur were, however, elected president and vice-president, and inaugurated on the 4th of March, 1881. The tragic wounding of the president in July after, by a pistol-shot from the hand of the assassin Guiteau, and his protracted suffering and final death, together with the trial, conviction, and execution of the assassin, are matters yet fresh in the memories of the people.

In the session of 1881-82, an act was passed by the General Assembly creating the Superior Court, to be held in Frankfort, for the relief of the Appellate Court, the docket of which was overcrowded hopelessly with delayed business. It was to be composed of three judges from three districts embracing the entire State, and to have a defined and limited jurisdiction over the less important cases before the Court of Appeals. In the First district, J. H. Bowden was elected a judge of this court; in the Second, A. E. Richards; and in the Third, Richard Reid. This court has proved efficient, and has rendered most valuable and indispensable services toward relieving the docket of the accumulated excess of business, and the people of the long waiting for the ends of justice. Though the original law provided for a term of four years, the Legislature of 1885-86 re-enacted the law for a continuance of four years longer.

In the eastern portion of the State, mainly, the peace and good order of the Commonwealth have been seriously disturbed by turbulent and violent factions and parties from time to time since the termination of the war, and to an extent that required the calling out of the State troops to aid the civil authorities in the enforcement of the law.

The most notable and tragic instance of this occurred at Ashland, in Boyd county, in 1882. A triple murder, with incendiarism, of a character to excite the profoundest horror and indignation in the public mind, was perpetrated in the near vicinity. Suspicion fell upon Neal, Craft, and Ellis, as the guilty persons, and threats and attempts were made to lynch the parties by the enraged populace. Judge George N. Brown sat in that judicial district at the time, and did all in his power to administer the law. Finding



GOVERNOR J. PROCTOR KNOTT.

this impossible, on requisition, Governor Blackburn dispatched several companies of the State troops, under command of Major John Allen, to the scene of riot, to protect the court and prisoners during a hearing for a change of venue. The troops, with the prisoners in charge, left on a steamer going down the Ohio. When opposite Ashland, the steamer was fired into by the mob, when the troops returned the fire, killing over twenty of the citizens, unhappily among them several women and children. The final result was that all three were found guilty at their trials, Ellis taken out by the mob and put to death, and Neal and Craft executed by the sheriff. The firmness and fairness of Judge Brown in this affair were creditable to the bench and to himself.

In the election for representatives in the Forty-eighth Congress, of Democrats there were elected: Oscar Turner, in the First district; James F. Clay, in the Second; J. G. Halsell, in the Third; T. A. Robertson, in the Fourth; Albert S. Willis, in the Fifth; John G. Carlisle, in the Sixth; J. C. S. Blackburn, in the Seventh; P. B. Thompson, in the Eighth; and Frank Wolford, in the Eleventh. Of Republicans: W. W. Culbertson, in the Ninth; and John D. White, in the Tenth.

In the Third district, Joseph H. Lewis was regularly elected to succeed himself upon the appellate bench, for the term of eight years.

In the State election in 1883, the Democratic ticket was successful by the usual majorities, approximating forty-five thousand votes. For governor, Thomas Z. Morrow was defeated by J. Proctor Knott; for lieutenant-governor, Speed S. Fry, by J. R. Hindman; for attorney-general, L. C. Garrigus, by P. W. Hardin; for auditor, L. R. Hawthorne, by Fayette Hewitt; for treasurer, Edwin Farley, by James W. Tate; for superintendent of public instruction, J. P. Pinkerton, by J. D. Pickett; for register, J. W. Asbury, by J. G. Cecil. These were the State officers installed for the term, with the additions of James A. McKenzie, secretary of state; H. M. McCarty, assistant secretary; John Davis, commissioner of agriculture; L. C. Norman, insurance commissioner; and John R. Procter, State geologist. On the appellate bench were Chief-Justice Thomas F. Hargis, Thomas H. Hines, William S. Pryor, and Joseph H. Lewis. In the year 1884, Judge Hargis' term having expired, William H. Holt was elected from the Fourth district to succeed him. J. C. S. Blackburn was early in this year elected United States senator for six years, from March 4, 1885.

In the first message of Governor Knott is the statement that, "Notwithstanding the gratifying evidences of the extraordinary popular prosperity, there has been but little change, and certainly no improvement, in the condition of our State finances during the two years since the meeting of the last General Assembly." In the exhibit made, there was in the treasury at the close of the fiscal year, June 30, 1882, a balance of \$48,064, and receipts to June 30, 1883, \$1,622,328. Total disbursements, \$1,661,768; leaving a balance of \$8,624. To meet previous accumulated deficits, the treasury

had borrowed \$500,000; deduct the balance shown, and the actual deficit June 30, 1883, was \$491,375.

The governor unquestionably touched the main and only problem of this inexcusable condition of State revenues and finances, in the comment, that "the difficulty is to be found in our grossly defective system of assessment, rendered still more inefficient by the negligent and unsatisfactory manner in which it is administered. The last assessment made the taxable property of the State \$374,500,000. *Our real property alone is worth double that sum.*" The auditor has repeatedly set forth the evils in his reports, and strenuously urged reform, on the basis of the draft of a bill carefully prepared through him, and on which the favorable action of the Legislature of 1885-86 was asked. If these estimates of our best informed authorities be not overdrawn, and we have no reason to believe they are, an equitable and full assessment of the property of the State would justify a reduction of the State tax for current expenses to twenty cents, while the school tax would be made to increase the school fund over fifty per cent.; to extend the school term to six months, and to pay the teachers over thirty per cent. more on monthly wages.

On April 5, 1883, a great State educational convention met at Frankfort, for the purpose of considering the situation, and devising and organizing means for the final reform of the school system. A committee was named, reported defects and needed amendments to an adjourned meeting, called to be held at Louisville, on the 20th of September. The report recommended the most liberal reforms which were practical for adoption and use; and this great prompting movement among the friends of education in the Commonwealth was responded to by the succeeding General Assembly, in the enactment of a law adapted in the main to the general wants of the common schools, a great improvement on any which had existed heretofore.

For the third time, the Legislature of 1883-84 passed an act providing for taking the sense of the people, as to the calling of a convention to frame a new Constitution for the Commonwealth, at the ensuing August election. The proposition was again defeated by the indifference of the people, and a general neglect to vote. Another act at this session provided for the construction of a new penitentiary at Eddyville, Lyon county, for the accommodation of the increasing and overflowing number of convicts, and to be occupied by an exclusive class of prisoners, toward whom the discipline aims to be reformatory.

The temperance and reform sentiment growing steadily in volume and activity throughout the State, acts have been passed during the sessions of past years and to 1885-86 granting towns, districts, and counties local option laws, or the right to prohibit the manufacture of or traffic in intoxicating beverages within the limits of such districts, on a ratification by a popular vote of the citizens of the same. Under this legislation, quite a number of

counties, towns, and districts of the State have adopted stringent measures of prohibition, and which are yet in force. The sentiment for temperance reform, though greatly retarded by the indiscreet zeal of many advocates, is every year more strongly demanding the purgation of the body politic and social of the great evils of the injurious traffic and habit. Intemperance is held to be a matter of legislative control.

Among the laws most significant of the growth of sentiment toward the determined eradication of the most flagrant forms of vice from society is one recently enacted making gambling a felony to both the gamester and the keeper of the gambling-house, or to any one in the employ of the latter. With such laws upon our statute books, together with the ample and splendid asylums for the insane, the feeble-minded, the deaf and dumb, the blind, and our improved and liberal school law, the Commonwealth of Kentucky may proudly be ranked with the governments most advanced in all that represents the benevolence and humanity of modern civilization.

In 1884, a noted presidential campaign of our historic period came off. The nominees of the Democratic national convention were Grover Cleveland for president and Thomas A. Hendricks for vice-president; of the Republican, James G. Blaine and John A. Logan; of the Greenback-Anti-Monopoly, Benjamin F. Butler and A. M. West; of the Prohibition, John P. St. John and William Daniel. The popular vote in Kentucky was: For the Democratic ticket, 152,961; Republican, 118,122; Greenback, 1,693; Prohibition, 3,139. In the United States it was: For the Democratic, 4,911,017; Republican, 4,848,334; Greenback, 133,825; Prohibition, 151,809. The electoral vote for Cleveland and Hendricks summed up two hundred and nine, against one hundred and eighty-two for Blaine and Logan and none for the other tickets.

On the 4th of March, 1885, Grover Cleveland and Thomas A. Hendricks were installed president and vice-president of the United States, inaugurating the first Democratic administration in power since the retirement of James Buchanan and John C. Breckinridge and the accession of Lincoln and Hamlin, on the 4th of March, 1861—a period of twenty-four years of Republican administration.

Of the citizens appointed to important offices, Federal and State, by President Cleveland, and accepting service, were Judge Milton J. Durham, first comptroller of the treasury at Washington; Charles D. Jacob, minister to the United States of Colombia; Boyd Winchester, minister to Switzerland; E. A. Buck, minister to Peru; Atilla Cox, Hunter Wood, James F. Robinson, and Thomas S. Bronston, collectors of internal revenue; J. Cripps Wickliffe, United States attorney for the district of Kentucky, and Thomas C. Bell, assistant attorney; John T. Gathright, receiver of customs; Andrew Jackson Gross, United States marshal for Kentucky; Don Carlos Buell, pension agent; Thomas H. Taylor, superintendent of the canal, and Judge C. W. West, governor of Utah.

Vice-President Hendricks suddenly dying in office, on the 25th of November, 1885, less than nine months after his inauguration, John Sherman, Republican, was elected by the United States Senate to preside over that body in his stead, on its assembling in December.

The auditor for the period 1883-85 sets forth very clearly the existence of certain defects in our laws for the assessment and collection of revenues, and suggests very obvious and practical remedies in the same report, and also in the draft of an improved revenue bill, which was carefully prepared under his direction and submitted to the legislative session of 1885-86 as the basis for a new law. In this last report, the financial statement of the auditor shows that June 30, 1885, there was a balance in the treasury of \$122,311, which, adding total receipts for the year, \$3,323,055, makes the sum of \$3,445,367 in the treasury. Disbursements for the same year to June 30, 1885, were \$2,919,779, leaving a balance of \$525,587. This balance was credited: To the general expense fund, \$35,812; to reserve to meet bank loan, \$200,000; to the sinking fund, \$180,896; to the school fund, \$108,879. But of the total receipts, \$512,500 was derived from the sale of bonds, as ordered, leaving only \$2,810,555 actual receipts from revenue. Of the expenditures, \$300,000 was paid to banks, making the actual expenditures for the government \$2,619,779. At the same date, June 30, 1885, there were of unpaid claims \$146,000, and of unpaid balances upon appropriations made by the previous Legislature \$182,997. So, instead of a net balance of \$35,812, as above, there was an actual deficit of \$293,185. The auditor but reiterates that these ever-recurring deficits have their causes in the shrinkage of values under defective revenue laws and their still more defective execution in the assessment of property.

From the statistics of the census of 1880, some interesting conclusions are reached, which throw much light upon the growth of population and wealth. When we consider the very large emigration from Kentucky of its native-born people and the steady natural increase of her population, with the very small comparative additions from other States and foreign countries, we note that the fecundity of the Kentuckians is most remarkable and, perhaps, not surpassed by any other community in the world. Of 1,648,690 population, 1,402,612 are native born, 186,561 are immigrants from other States, and 59,517 from foreign countries, or 245,078 immigrants in all. The total number of persons born in Kentucky, and resident beyond the State, as shown by the census of 1880, amounted to about 400,000. This statement, of course, includes the colored race. The following figures will show the steady and healthy increase of population each decade, since 1790: The population in 1790 was 73,677; in 1800, 220,955; in 1810, 406,511; in 1820, 564,135; in 1830, 687,917; in 1840, 779,828; in 1850, 982,405; in 1860, 1,155,684; in 1870, 1,321,011; in 1880, 1,648,690.

Table Showing the Relative Production, as Compared With Other States, of Certain Agricultural Staples in Kentucky, in Successive Decades.

ARTICLES.	1840.	1850.	1860.	1870.
Wheat	First.	Ninth.	Ninth.	Eighth.
Maize	Second.	First.		Sixth.
Rye	Fourth.		Fifth.	Fifth.
Tobacco	Second.	Second.	Second.	First.
Flax	Third.	First.	Third.	Eighth.
Hemp		First.	First.	First.
Cotton	Eleventh.			Twelfth.
Swine	Second.	Second.	Fourth.	Fifth.
Mules	Second.	Second.	Second.	Third.
Home (or household) manufactures	Third.		Second.	Third.

Thus it seems that Kentucky has long stood first in the production of hemp, by the advantage of her fertile bluegrass soil; and by the stimulus given to the growth of white burley tobacco, she has taken precedence in the production of this staple article.

A source of wealth and industry of inestimable value for indefinite years in the future has been opened up through the instrumentality of the State Geological Bureau. Public attention was directed to the importance of the superior mineral and timber resources of Kentucky under the administration of Professor N. S. Shaler, as chief of this department of exploration. The interest was continued and steadily increased under the enterprising and able management of Professor John R. Procter, the successor of Professor Shaler. In connection with the regular duties of his office, as chief of the Geological Bureau, Professor Procter has given attention to the work of advertising abroad the advantages of Kentucky, as an attractive land for the settlement of emigrants and the investment of capital from abroad. Under his intelligent direction, the features of geological formations, the diversity and value of soils, and the distribution of many natural sources of wealth were indicated upon State and county maps for the convenience of the public. The results of this work have been to bring a large amount of foreign capital for investment in our midst, to locate quite a number of colonies and individuals from other States and from foreign countries, and to give quite an impetus to many new industries within the borders of our Commonwealth. Professor Procter is a native Kentuckian, born in Mason county, and reared there to manhood. He continued to serve at the head of the Geological Survey until the termination of the existence of the bureau in 1893, during the administration of Governor Brown.

CHAPTER XXXII.

(1886-1892.)

INCLUSIVE OF THE CENTENNIAL YEAR OF KENTUCKY.

Barriers to constitutional changes.	People's party organized.
Chafing of the people under the same.	Decision of the boundary of Kentucky.
Devices to solve the difficulties.	Terrible cyclone in Louisville, 1890.
Plan adopted by the Legislature, 1885-86.	Great epidemic of la grippe.
The results satisfactory in 1887.	The "Tyler grippe," 1843.
Also in the second ballot, 1889.	Constitutional Convention sits.
Legislature provides for a convention.	The work of the convention set forth in an address to the people of Kentucky.
Administration of Governor Knott.	Results of late geological survey.
Act permitting the acquisition of lands by the United States Government.	Coal and iron in South-eastern Kentucky.
Other acts of 1885-86.	Other natural resources of wealth.
Reform of the revenue laws.	Products of mining; reports.
Construction of the same by the courts.	Charles J. Norwood.
Party State conventions, 1887.	Increase of manufactures and wealth.
Election of the Democratic ticket.	W. W. Longmoor.
Board of Equalization provided.	Administration of Governor Buckner.
Defalcation of Treasurer Tate.	Bureau of agriculture.
Action of the Legislature on same.	Munificent charities of Kentucky.
Stephen G. Sharp appointed treasurer.	State election in 1891.
State inspector and examiner.	Ed Porter Thompson.
Treasurer Sharp, resigning, is succeeded by Henry S. Hale.	Administration of Governor Brown.
Presidential election, 1888.	John Young Brown.
Harrison and Morton elected.	Centennials of the State and of the nation.
Centennial of the United States Government, 1889.	John W. Headley.
	Celebration of the State centennial.
	W. J. Hendricks.
	L. C. Norman.
	W. H. Bartholomew.

The people of the State were chafing under the restrictive provisions of the constitution of 1850 against any future change. The failure at the polls in 1884 to register the requisite proportion of votes, though the majority in favor was large, was piquantly felt. The sentiment for a change had grown for years, with a sense of its necessity. The framers of the fundamental law, in their very earnest desire to discourage agitation, had builded less wisely than they would have done had they known the future.

As the barriers to popular adjustment seemed the more formidable, impatience under such restraint became more manifest. One generation had no right to assume superior wisdom, and to fetter the sovereignty of the next. Various devices for a solution of the difficulty were suggested: some favored cutting the Gordian knot by calling a sovereignty convention of delegates from the people, without respect to constitutional forms. This would have been but revolution at the ballot-box. It would have been justifiable, but only as a last resort.

Finally, during the session of 1885-86, the General Assembly enacted that the question of calling a convention for framing a new constitution for the State be submitted at the State election in August, 1887; and that a registry of the voters be made previous thereto, to ascertain and fix the number of qualified voters in Kentucky. The method hitherto of enumeration included all males over twenty-one years of age, a large percentage of whom were annually absent from the polls. All efforts to secure a majority of such a count of the polls had failed. It was correctly assumed that, if through negligence or indifference on the day of election, a large percentage would fail to exercise the privilege of suffrage, as great a proportion would neglect to register. The assumption was well taken, and this very proper and just device proved a final and satisfactory solution. The results of the election showed that there were 162,557 votes in favor, and 49,795 against, 65,956 not voting. A majority of all the qualified votes as registered were shown to be in favor of a Constitutional Convention.

In compliance with constitutional forms, the question was a second time submitted at the State election on the first Monday in August, 1889; a like favorable expression of the popular will was given. In response to this expression, and as required by the constitution, the Legislature, during the session of 1889-90, provided for the election of one hundred delegates, one from each representative district, and for these to meet in convention at Frankfort on Tuesday, the 8th day of September, to frame a new constitution for the State. The history of this convention and its proceedings marks an interesting epoch.

During the administration of Governor Knott, J. P. Thompson, John D. Young and A. R. Boone were appointed and served as railroad commissioners; John F. Davis, of Shelby county, was made commissioner of agriculture.

The Legislature which adjourned May 18, 1886, passed an act granting the consent of the State to the acquisition by the United States Government of certain lands bordering on navigable streams, especially on Green and Barren rivers, for the purposes of improving the same for navigation. In response to the growing dissatisfaction of working convict labor in competition with free, and the reports of the cruel treatment of the prisoners at the coal mines, a law was passed prohibiting the employment of the convicts at such labor, after the expiration of the contracts then in force. An appro-

priation of seven thousand dollars from the treasury of the State, for the construction of a Training School for colored teachers, and two thousand dollars annually for the maintenance of the same, was made. This was supplemented from other sources. An eligible suburban site at Frankfort was selected for the location, and a neat and commodious building erected. Since that time a successful Normal School, with modern equipments and features, has been conducted by a faculty of trained colored teachers, under the lead of President Jackson.

Under the reforms of assessment and revenue inaugurated by Auditor Hewitt, relief came barely in time to save the treasury from the annual depletions, so repeatedly annoying. At the meeting of the last General Assembly, the report of the treasurer showed a deficit of \$293,185.52. The total assessment of taxable property for the State was \$390,827.963, in 1885. Under the effects of the amendatory legislation in 1887 it was \$483,497,690. This increase added \$180,000 to the general expense fund, and \$220,000 to the school fund, or \$400,000 in all to the receipts of the treasury. The results show that one-half the property of the State was excepted to elude taxation, under some evasive pretext.

About this time the Court of Appeals held, in a decision, that all laws exempting private property from taxation were unconstitutional. Under this decision, much property which hitherto had paid no taxes, under the plea of exemption by special law, or by inference of law and usage, was compelled to bear its due proportion of the public expenses. In some cases the question arose as to what limitation to the term "private property" should be given. The most important test case that came before the courts for a precedent was that of the Louisville Water Works Company. This company was separately incorporated; but the stock was owned, all or nearly all, and the directors elected, by the city. It was held by the management to be public property, and suffered suit for the collection of taxes claimed for a series of years. The last court of resort finally held that the property of the Water Works Company must be classed as private, and subject to taxation as other private property.

The Democratic State Convention assembled at Louisville on the 4th day of May, 1887. The nominations were: For governor, S. B. Buckner; for lieutenant-governor, James W. Bryan; for auditor, Fayette Hewitt; for treasurer, James W. Tate; for attorney-general, P. W. Hardin; for superintendent of public instruction, J. D. Pickett; for register of the land office, T. H. Corbett. The Republican Convention nominated in opposition to these: For governor, W. O. Bradley; for lieutenant-governor, Matt O'Doherty; for auditor, R. D. Davis; for treasurer, J. R. Puryear; for attorney-general, John W. Feland; for superintendent of public instruction, W. H. Childers; for register of the land office, T. J. Tinsley. At the election, in August, the Democratic candidate for governor received a majority of sixteen thousand seven hundred and ninety-seven votes.

This was about twenty-five thousand less than the average majorities in similar State elections for the previous twenty years. There were some elements of growing discontent for some time apparent in the party, and the sentiment of approval did not heartily respond to the action of the convention. On the Republican side, the canvass was conducted under the able and aggressive leadership of the nominee for Governor, and waged actively to its close. There were nominations made by the Prohibition and Union Labor parties, in the same contest; these received but few and scattered votes.

In furtherance of revenue reform, the Legislature, which met December 31, 1887, and adjourned May 4, 1888, passed an act creating a State board of equalization, before which all annual assessments of property for taxation by counties should be submitted for revision.

On the 20th of March, the governor sent a message to the Legislature, announcing that he had suspended from office Treasurer Tate, and that a large deficit had been found in his accounts. This intelligence was a shock of surprise to the public. In twenty years Tate had been nominated and elected by his party to this office for ten successive terms. No name was more familiar throughout the State, and no official had ever a deeper hold on the confidence of the public. "Honest Dick Tate" had become a familiar household phrase, and there was never a difficulty in his making the bond of three hundred thousand dollars required by law.

It was soon known that Tate had escaped and fled the country several days before. A reward of five thousand dollars for his capture was promptly made public, but no trace of his flight was discovered. An act of the General Assembly was immediately passed, authorizing the governor to appoint a successor. Stephen G. Sharp, of Lexington, was named for the vacancy, and at once installed in the office. The Senate resolved itself into a court of impeachment, and went through the forms of trial. The officers of State were summoned as witnesses; the fugitive ex-treasurer was found guilty, and formally deposed from office.

On March 31st, the governor appointed a committee to examine the accounts of Tate. After a full investigation, the report made to the Legislature through the governor showed that the defalcations had been running a series of years, as far back as 1876. The total amount reached the sum of \$247,128.50. As a partial offset to this sum, there were found in the vaults of the treasury due-bills to the amount of \$59,782.80, showing that he had not only been diverting the public money to his personal use, but had loaned it freely to importuning friends. For the purpose of effecting a settlement, and ascertaining the final extent of the liability of his bondsmen, the Legislature created a commission to be filled by the appointment of the governor, which entered upon its duties in May. After realizing from all available sources, it was found that the deficit for which the sureties would be held responsible was about \$174,000.

In June criminal proceedings were begun, and an indictment was brought against Tate for embezzlement under several counts. To guard against such contingencies in the future, the Legislature passed an act creating the office of State inspector and examiner. This official, appointed by the governor, must annually examine the management and condition of the accounts of the auditor and treasurer, and of all other heads of public departments and institutions having charge and disbursement of the funds of the State. He must also be present at the monthly settlement between the auditor and treasurer, and report to the governor his findings in all of these inspections and investigations.

State Treasurer Sharp, after some months of service, resigned his office, and Henry S. Hale, of Graves county, was appointed to fill out the remainder of his term. To this date of 1895, nothing definite is known to the public of the wanderings of the unfortunate ex-treasurer. Among those to whom James W. Tate was long and intimately known, while lamenting and abhorring the crime of embezzlement of the public funds, the opinion is charitably held that, in the beginning, the great wrong was not premeditated. For thirty years he had lived in the confidence of his fellow citizens, in social, religious, business and official life, without a blemish upon his name. Amiable and genial in disposition, accommodating in spirit and prudent in counsel, he made many warm friendships. No citizen as well known in private and public life in Kentucky was more respected; certainly no one such had fewer enemies. It is not strange that so many are ready to drop the mantle of charity over the first intention, and to lament the weakness which in the end became a great crime. He yielded too ready indulgence to importunate friends, until, involved in liabilities from unpaid loans of money from the treasury beyond his means to restore, or longer to conceal, when exposure and dishonor became inevitable, he boldly robbed the treasury to provide against the contingencies of poverty in exile, and evaded the penalty by becoming a refugee from avenging law.

The presidential contest came off on the first Tuesday in November, 1888, resulting in the election of Benjamin Harrison, of Indiana, president, and Levi P. Morton, of New York, vice-president of the United States, by the Republican party, over Grover Cleveland and Allen G. Thurman, the nominees of the Democratic party. The defeat of Cleveland was unexpected, and a great disaster to the latter party. Its leaders had sustained the organization and alignment of the historic Democratic party in the face of defeat, for twenty-four successive years. In 1884, Mr. Cleveland, by the prominence he had won as the Governor of the State of New York, was chosen as the most available candidate of his party for the presidency and elected. This victory was won against the Republican party with a trained and organized array of one hundred thousand office-holders in fortified possession. The election of Mr. Cleveland reversed this army in possession, and brought its full strength to his support in 1888. With such an

advantage it was expected that success in the second campaign was reasonably assured. The disappointment was most severely felt in Kentucky and the South.

For years past a growing discontent manifested itself among the labor elements throughout the country, under a claim of the intolerable burdens of taxation imposed in insidious forms upon them by class legislation. The rapid accumulations of enormous wealth in the hands of the favored few, and the impoverishment of the great industrial masses, in an era of marvelous growth, are viewed as evidences of wrong in the policy of government and in its legislation. Out of this has grown widespread discontent with the leadership and principles of both the great opposing Republican and Democratic parties. With the agitations for remedies and reforms, several organizations have sprung up among the farmers and workingmen of various orders from time to time. Of these, two organizations of the farmers in Kentucky, the Wheel, and the Farmers' Alliance, in 1889, merged into one body, styled the "Farmers' Alliance and Industrial Union." At first this labor movement was not designed to be political, so much as to benefit the fraternity, materially and socially. The venality of legislation and the prostitution of the powers of government, however, it was claimed, had become so odious and oppressive to the children of toil, that they were forced to organize for defense and protection against the moneyed powers. The Alliance and Union offered the opportunity; it asserted itself in politics, controlling the elections in several States, and threatening further control in State and national politics. In sympathy, and with a common interest and purpose, the labor leagues of the cities and industrial centers have allied with the farmers and formed the People's party. Already this party has succeeded in electing senators and representatives in the Congress of the United States, and members of the Constitutional Convention and of the Legislature in Kentucky. It promises to become a formidable factor in the presidential election of 1892, having placed a ticket in the national field. Candidates for the next Congress are nominated in several of the districts of Kentucky.

The year 1889 was the first Centennial of the government of the United States. The first Congress assembled and the first president was installed in office under the Federal Constitution adopted one hundred years ago. On the 30th day of April, 1789, Washington, having been duly elected, was inaugurated the chief magistrate of the nation. On the 30th day of April, 1889, this memorable event was appropriately honored in the city of New York. Kentucky, with her sister commonwealths, was represented on the occasion in the presence of her governor and his staff, of many patriotic citizens, and a portion of her military forces and equipment. In the ages to follow, this centenary epoch will be celebrated as one of the most cherished in the memories and hearts of the American people.

In this year the United States Supreme Court rendered a decision in

favor of the claim of Kentucky to Green River Island, in the Ohio river, nearly five miles long and one-half mile in width, containing about two thousand acres. According to the description by its boundaries, it would belong to Indiana, but when Kentucky became a State, the main channel ran north of the island, and the jurisdiction and boundary of Kentucky then extended to low-water mark on the north side of the channel, embracing the island. These facts, as well as the long continued jurisdiction of Kentucky, over the island, were decreed conclusive. The boundary line of Kentucky, established at the time of her admission into the Union, could not be changed by any subsequent changes in the conformation of the river.

On the 27th of March, 1890, a fearful tornado passed through Kentucky, taking the city of Louisville in its path. The elements seemed to gather in force for their destructive sweep through the State at a point near Smithland, on the Ohio river, above the mouths of the Tennessee and Cumberland. The northerly track of the tornado passed through the counties of Livingston, Crittenden, Union, Webster, McLean, Daviess, Hancock, Breckinridge, and Meade. Parallel to it on the south, another track of destruction lay eastward in the adjoining counties of Lyon, Caldwell, Christian, Muhlenberg, Ohio, and Grayson. The two columns of storm-forces seemed to come together in Meade and to enter Jefferson county with gathered power for a descent upon the city of Louisville. The number of killed in the counties thus traversed was reported at sixty, and the wounded at over two hundred. Forests of timber, farm houses, barns and outbuildings, fencing and other property were laid waste, and desolate ruins in every county marked the path of destruction. A partially spent force detached from the main columns of the storm reached the counties of Allen and Barren and did some serious damage there. But the cities of the falls were fated to receive the fullest fury of the tempest. The united columns of the tornado, gathering new strength, swept over the rugged slopes of Muldraugh and across the valley from the foot-hills, to break upon the city, at the hour of early night-fall. It was half-past eight o'clock in the evening when the first signals of approach were observed. The angry and turbulent motion of the clouds, as they seemed to seethe and boil overhead, gave uneasiness to some. Above the horizon everywhere the darkened sky was lurid with electric flame, alternated every minute with vivid and blinding flashes of lightning, followed by answering peals of thunder that caused the city to tremble to its foundations. As the clouds approached the border of the city they were funnel-shaped with the rotary motion so ominous of the approach of a cyclone. A terrific gust of wind swept through the city, wrenching the creaking signs, rattling the roofs of metal, and toppling over a tree here and there. After a lull of five minutes another gust followed, fiercer than the first. The dread of suspense came upon many, as the people, after the first vibrating shocks of an earthquake,

in the terror of suspense, tremblingly wait to learn if the worst is yet to come. It was but a moment's interval of paralyzing fear, and the worst came with appalling waste and death, never to be forgotten by any citizen, nor in the history of the Falls City.

The great black column, with its inverted base in the clouds above and its trunk reaching to the earth, whirling onward, swaying to and fro and bounding over the valley, touched here and there a spot and tore in fragments every perishable thing that fell beneath its fury. For a few moments, in passing, it swooped down upon the pretty suburb of Parkland, leaving the marks of its wrath, for time only to efface. At a bound, leaping over the border, it fell in merciless wrath upon the city of Louisville. It tarried but a brief space of fifteen minutes within the metropolitan limits. In this short time the ruin was wrought. From the south-west limit the track of the tempest coursed entirely through in a north-eastwardly line, for over one mile, crossing Broadway street about Eighteenth and Twentieth, and passed out at the river wharf, near the foot of Sixth and Ninth. In width it embraced three squares, or about three hundred yards. It swept over forty squares of buildings, unroofing some houses, blowing down the walls of others, and utterly wrecking many. One thousand buildings were more or less in ruins, and the streets everywhere piled and barricaded with the *debris* of general wreck. The terrors of the awful night that followed were partially described in the daily press of the time; but no pen-picturing could do justice to such scenes. The wildest rumors filled the city. The belief was, in the midst of the confusion, that the wounded and dead were numbered by the thousands. Parents searched for children, husbands and wives for each other, and many for kindred and friends, not knowing but the missing ones were among the dead or injured. The greatest calamity was at Falls City Hall, on Market street, near Eleventh, where hundreds of citizens had assembled but half an hour before for an evening's entertainment. The structure fell in upon them, roof and walls, burying all in the common wreck. Three-fourths of those who were killed in the city met their deaths here. It was found in a day or so that only some four or five hundred received personal injuries, of whom less than one hundred were fatally hurt.

Every phase of human nature, from its forms of divinest virtue to the lowest depths of forbidden vice, found occasion for its display. Before the dawn of light on the following day, busy thieves were at work, skulking and pilfering among the broken timbers and furniture, the safes and drawers of deserted houses, and the bodies of the dead, for money and valuables. It was impossible for the police force to guard the entire stricken district and the city at large. The military were called upon to reinforce the police arm; and the Louisville Legion, three hundred strong, was assembled at the Armory. For a week or two, divisions of this body of State troops relieved each other through the twenty-four hours of each day, patrolling the

district, until the streets were cleared and some degree of order restored. On the other hand, heroic humanity was even more brave and active in the work of relief. The usual expressions of sympathy and tenders of aid came in speedily from all points abroad; but the citizens at home met in conference, and resolved that they alone would care for the unfortunate and suffering, without assistance from the outside. On the early morning after the dread calamity, a meeting was held at the Board of Trade rooms, and twenty thousand dollars contributed on the spot. Committees were appointed, and this sum was soon increased to one hundred and fifty-six thousand dollars, and through committees, relief and aid, wherever needed, were continued until all urgent wants were supplied. Within one year the work of rebuilding and repair restored the district to order and industry, as before the cyclone. Among the worthy citizens who were killed outright, or died after from injuries received, we may mention the names of Rev. S. Barnwell, rector of St. John's Episcopal Church, and his little son; J. B. McCollum, Capt. Theo. Engelmeier, J. B. Schildt, August Fleisher, Christ Miller, Prof. Gustave Kutzler, Sr., Prof. Andrew Steubling, John Emerick, Mrs. Belle Patterson, Mrs. Carrie Baker, Sister Mary Pius, Dr. Kalfus and others.

In the later months of the winter of 1889-90, and the earlier spring, there appeared in virulent form the most insidious and fatal malady that has visited this country in its history. It suddenly manifested itself in many parts of the country as an epidemic infectious disease, characterized by inflammation of the membranes of the respiratory organs, often involving the gastric membranes. In its initial stages the symptoms are so nearly like those of ordinary influenza as to mislead the subject to treat with indifference what was deemed the trifling disorder of a day. It proved, however, far more serious than this, or even than a simple epidemic catarrh. There are observed often, subtle rigors, attended with hot and chilly sensations, alternately, accompanied with general prostration of the nervous and physical energies. A burning dryness in the nose, throat, and chest, more labored respiration and diminished action of the organs of secretion are discernible. The symptomatic effects are varied—severe headache and greatly disordered stomach, with the usual appearances of an ordinary violent cold, are very common. The vitality of the internal organs affected directly by the irritated membranes is generally lowered, attended with more or less functional derangement. This condition, together with the general prostration, renders the patient extremely sensitive to any exposure or neglect, and liable to dangerous relapses even when flattered with the promise of early convalescence. It is most fatal to the aged and to those suffering with constitutional debility.

The phenomena of this disease are so marked that we are enabled to identify and to trace it as an epidemic plague, which has scourged the people of both hemispheres for centuries past. As early as 1510, we have

accounts of a great constitutional influenza, similar in its appearances and its fatalities, which had its origin in the Asiatic countries, and traveled westward to the Atlantic. The disease is accurately described by Dr. Sydenham, as he observed its ravages among the population of London in 1675. In the year 1733 an epidemic of this distemper appeared simultaneously in Brussels and London early in January. It was two weeks later in Paris, and a few days later in other parts of Europe, embracing every nation. It invaded the United States at the first approach of cold weather, in October following, and after traversing the North American continent, it appeared at Barbadoes, and in Mexico and Peru. In 1789 and 1807 similar outbreaks of the malady, after its ravages in the East, occurred at New York and Philadelphia, and spread westward and southward over the Americas. At intervals of ten to twenty-five years, it has repeatedly invaded the United States since, always visiting Kentucky.

In France, the name *la grippe* had been given this disease. The epidemic spread over Europe and reached the United States in violent and fatal type in 1843.

John Tyler, who succeeded to the presidency on Harrison's death, in 1841, had recently vetoed the bill for a United States bank, a measure supported by the Whig party which had elected him. This act of alleged bad faith was the political sensation of the day, and public sentiment attached great odium to the man and to the act. Associating the plague of an epidemic with this visitation of political misfortune, the people in a vein of grim humor of revenge dropped the French "*la*" and substituted the word "*Tyler*." In this way the French "*la grippe*," was Americanized into "*Tyler grippe*;" and the great scourge of 1843 was popularly known then, and since, as the "*Tyler grippe*," from the coincidence of the two events.

The grippe reappeared in the winter of 1890-91, and again in that of 1891-92, and on each return was attended with much the same phenomena and fatality as on the first visitation. An examination of the reports of the Health Officer for Louisville, for the three months from December 1 to March 1, 1891-92, shows that the number of deaths in the city was over four hundred above the normal rate; or that number from the grippe alone. The proportion was greater in many other cities, and especially in the larger cities. This would give one death from the epidemic for every four hundred of the population of the city. If this ratio is applied to the entire population of the United States, it would give about one hundred and fifty thousand deaths in the whole population from grippe alone, directly and indirectly, during each of the three seasons of its prevalence. Deducting one-third from this yearly number for the greater immunity of the country districts from the scourge, and we still have an annual abnormal death rate of one hundred thousand resulting from this insidious and terrible epidemic. In no year of our history has there been a death rate of this

magnitude from cholera, yellow fever, or any other of the fatal maladies, throughout the entire United States. And yet, with stealthy tread, it has come and gone with less of the sensation of dread alarm and consternation. In its incipient stages, the symptoms are deceptive and often fatally misleading. It is mistaken for and treated as a transient influenza. The ground-work is laid for a serious or fatal termination before the patient is aware of the presence of danger. Many who survive the direct attacks linger in feebleness and functional disorder until the warmth of the summer days brings relief and deliverance, or death ends the struggle in the form of consumption or other constitutional disease in sympathy. Many physicians insist that great injury is done in the frequent use of alcoholic stimulants during the period of its first invasion. While great mental and physical depression exists, this would appear a plausible remedy; but it results in the sudden irritation of the kidneys, liver and intestines, converting the temporary stages of congestion into an inflammation, and making it a dangerous agent. They may be used with better effect in the convalescent stages. In cases where it proved fatal it has been observed that inflammation of the small air tubes in the lungs or disintegrating inflammation of the kidneys and liver was the direct cause of death. Fatalities may be mainly ascribed to neglect or improper treatment; and should this dread scourge revisit our land, it is to be desired that physicians and people will have learned to profit by the experiences of the past.

On the 8th of September the Constitutional Convention convened at Frankfort. On the opening day George Washington, delegate from Campbell county, was made temporary presiding officer. The convention was then permanently organized by the election of Cassius M. Clay, Jr., of Bourbon county, to preside over its deliberations. The body continued in session until the 11th of April, 1891. The draft of the new instrument was submitted to the people, to be voted on for ratification, on the first Monday in August after adjournment. Wide and marked differences of opinion upon the merits of the changes made were entertained, and on the issues very able and animated discussions were frequent and general by the friends on either side. The popular vote was in favor of the adoption of the instrument as the fundamental law of the Commonwealth, by a very large majority.

As this constitutional change determined a period of forty years of most important events in the history of the country, it is worthy of more than passing notice from the student of political economy. It was an era of wonderful activity in intellectual life, in inventive art, in industrial enterprise, in progress of sentiment, and in accretion of wealth. The changes in the new from the old Constitution of 1850, and the amendatory provisions added, may well illustrate the evolutions of the interval of time between. A committee, composed of Delegates Bennett H. Young, Curtis F. Burnam, William H. Mackoy, Robt. Rodes, Samuel J. Pugh, Frank P.

Straus, H. R. Bourland, G. B. Swango, C. T. Allen, S. E. DeHaven and Wm. R. Ramsey, was appointed by the convention before its adjournment to prepare and publish an address to accompany the instrument in its distribution over the State. This address ably and briefly sets forth the plea for the new constitution, and summarizes its most important features of reform. It is given in full as follows :

ADDRESS TO THE PEOPLE OF KENTUCKY.

The convention to amend the present Constitution was called after twenty years of agitation and in obedience to a well-defined popular demand for a revision of your organic law. As your representatives, the members of this convention, after a session of one hundred and ninety-nine legislative days, have prepared, and now submit for your approval, the accompanying instrument. It is not assumed that it is perfect, or that it represents the views of each member on every subject; but after full discussion and mature deliberation, it is offered as the best judgment of the body.

In many portions of the State there has been severe criticism as to length of time consumed in the preparation of the instrument. A little investigation will show that some of these complaints are not well founded, and that in many States more time has been consumed in framing these most important of all laws.

The last convention in Illinois sat one hundred and fifty-three days, in New York nine months, in Ohio two hundred and fifty-three days, in California one hundred and sixty-seven days, and in Pennsylvania during an entire year, at a cost to that State of \$1,000,000.

The last Legislature of Kentucky, in framing mere statutory laws, was in session one hundred and forty-nine days.

In dealing with these fundamental provisions of government, haste would have been unseemly, and it was due the people of the State that every delegate, on every question, should have ample time to express his opinions, and from such discussion to formulate those great and fundamental principles essential to the organic law of a State such as Kentucky.

The experience of forty years, gathered from the unparalleled changes in political and social life of this country, rendered many alterations in and additions to the Constitution not only important, but absolutely essential to good government. Notwithstanding this necessity for change and enlarged limitations of many general and special powers, a close comparison of the present and proposed Constitutions will show that a very large portion of the present Constitution passes into the new one substantially unchanged.

The sessions of the convention were marked by no partisan political discussions. All such questions were unknown and undiscussed, and as representatives of all the people of the State, the universal desire was to frame a Constitution which would secure the greatest good to the greatest number.

The first question which confronted every delegate was the inhibition of special or local legislation. The General Assembly of 1889-90 sat one hundred and forty-nine days, and passed local laws, including index, covering four thousand eight hundred and ninety-three pages, with a cost to the State in printing of \$17,223.65, and in other respects \$151,014.82. The average time and cost of the four preceding Legislatures had been but little better. The disapproval of every

person in Kentucky suggested sharp and effective remedies for the evils of such a system of law making. Outside of all questions of economy, the demoralization of the Legislature and the inequality of laws so passed had produced the grossest wrongs, and the demand for a change on this subject was absolute and universal.

In the judgment of the delegates this has been thoroughly done. Legislative sessions have been limited to sixty days, and all special laws prohibited, where general laws can govern; and on a large number of subjects which concern the general good, under the provisions proposed, a special law is rendered impossible.

Something of this tremendous evil will be appreciated when it is stated that the official report of the auditor shows that in the last ten years the General Assembly has been in session six hundred and eighty-nine days, or nearly one-fifth of that entire period, at an average daily cost of \$1,068, and that, had the General Assembly been required to pass only general laws and been permitted to remain in session only sixty days, as required by the proposed Constitution, there would have been a saving to the State in money alone in this period the sum of \$424,164.

It is required in the new Constitution that all acts of incorporation shall be obtained hereafter under general laws, and that the expense of such incorporations shall be paid by those who seek them and who secure benefit from them.

Another important matter is uniformity of laws applicable to counties, cities and towns; now, no two of these municipal divisions in the State operate under the same code of laws. The tax systems, judicial forms and remedies, and governmental agencies generally, were arranged to suit the caprice or whim of the member who happened to represent that particular locality. A false idea of what has been called legislative "courtesy" allowed any member to write the statutes governing his own constituency. We have prepared provisions requiring that all such communities shall be divided into classes and shall be governed by general laws applicable to every member of such class throughout the State.

Lotteries are inhibited, and all lottery charters now existing are revoked. These grants, in most instances secured by clandestine legislation, have inflicted upon the State great disgrace and upon its people incalculable loss. A single clause settles this evil, places Kentucky abreast of the best civilization of the age, and unites her in the effort to repress this unmitigated shame.

The ballot system under the new Constitution will be fully established. Kentucky enjoys the distinction of being the only civilized State which retains the *viva voce* system. Experience has demonstrated the evils of the *viva voce* system, and an official secret ballot, a barrier to bribe-givers and bribe-takers, the palladium of an honest and unbiased expression of popular will, as expressed at the polls, is made the only method of taking the sense of the voters of the Commonwealth.

The frequency of elections has been the cause of almost universal complaint. It is provided in this proposed Constitution that only one election of any kind can be held in the State or any part thereof in any one year.

The mode of revision has been held by many to be a question of supreme importance. Amendment to the present Constitution is impossible, and to call a new Constitutional Convention involves at least five years' delay and large expense. To render change a practical political impossibility was the avowed purpose of the framers of the Constitution of 1849.

The sections on revision in the new instrument permit three-fifths of any Legislature to propose at a regular session two amendments; these may be on

any subject, and, when ratified by a majority of the votes cast, become part of the Constitution. This plan avoids the expense of a convention, renders the instrument at all times capable of meeting the exigencies of the times, and yet it is so arranged that the Constitution can not be altered or amended without a sufficient period for reflection. This plan is in line with the experience and judgment of other States and covers the middle ground on this subject.

The greatest menace to freedom of the people of this country is the aggregation of capital and the aggressions, consequent upon such aggregation, upon the rights of the individual citizen. Corporate wealth and influence have been most potent in all the phases of our political affairs, and this danger has aroused the fears of the ablest and most patriotic of our statesmen. The State can not afford to commit itself to any policy which would keep out capital, nor, on the other hand, can she afford to disregard the warnings of the times and remove all limitations upon this power. In the proposed Constitution will be found such provisions as, in the judgment of your representatives, carefully guard the people's rights, and yet, on the other hand, grant to corporate capital all those privileges and rights which will justify it in the development of the superb resources of the State.

Many and most serious difficulties have arisen from irrevocable grants made by the General Assembly. We have provided that all grants and charters of every kind shall in the future be held subject to the legislative will, and with the absolute right of repeal by the State. Such a provision in the past would have been of untold value to the citizens of the State; and while it has been in force under statutory enactment since 1856, unless where expressly waived by the term of the act itself, which was frequently done, it has been deemed of the greatest importance to have it incorporated in the Constitution.

One of the most unfortunate features in the administration of Kentucky's government has been the inequality in taxation. Exemptions under one pretext or another have crept into hundreds of charters and acts, and the value of property thus relieved of its just proportion of taxation has reached appalling figures. The Constitution submitted to you confines this evil to much narrower limits, and, so far as practicable, puts all property upon the same basis for taxation. Should you accept this Constitution, all property—land, bank stock, and money—will bear its just share of governmental burden and assume its fair proportion of taxes, while securing the equal protection of law.

Unjust local taxation and the heavy increase of the debts of counties, towns, and cities have been recognized in every portion of the State as great evils, frequently destructive of the highest rights of property and leading to practical confiscation or absolute repudiation. A limit has been placed on all tax rates, and while it allows reasonable outlay in all matters requiring enterprise and development, it also places an impassable barrier against unwise or extravagant expenditures.

State, county and other governmental machinery has been left practically unchanged, but the number of magistrates has been limited to eight in any county.

The number of grand jurors has been reduced from sixteen to twelve. This can not, in the least, impair the efficiency of the body or the administration of justice, and the saving in per diem alone by this change in ten years will equal the entire cost of the convention. The average cost of grand juries in the State for the preceding two years was \$69,777; this change will save one-fourth of this amount, \$17,500, per annum. A three-fourths verdict of juries in civil cases has been allowed under legislative direction.

A uniform system of courts has been devised. In some counties there are as many as four different kinds of courts, some of them with the same jurisdiction. The proposed change provides sufficient courts and removes the evil referred to. The number of judges will be only very slightly increased, but they will be more fairly distributed, and every county in the State will have at least three terms of Circuit Court in each year. It was thought wise to have only one court of last resort, and to provide that this shall consist of enough judges to dispatch all the business that may be brought before it. If five judges can not do the business, the General Assembly can increase the number to seven; and these for many years will meet every possible demand. This number may be divided into sections, and thus accomplish the work of two courts while maintaining the uniformity of decision of one.

In obedience to an almost unanimous public sentiment, the working of convicts outside the penitentiary has been prohibited, and the General Assembly also required to establish and maintain a State Reformatory Institution for juvenile offenders.

The subject of Eastern Kentucky land titles has been one of grave import to the whole State. There are many Virginia grants one hundred years old and yet unrecorded, the land covered by which has been held under patents from this State in some instances a century, sold many times and taxes thereon paid all these long years by persons ignorant of an adverse claim. And yet these ancient grants remain as a means of disquieting titles and a bar to the complete development and improvement of the richest mineral and timber districts in the State. Security of title is an essential in the progress of any country. Justice to the State and its long suffering people interested in this portion of the State requires a speedy and effective remedy. This has been given, and such provision has been made that in five years after the adoption of the new Constitution this great incubus upon the wealth and prosperity of the State will be in a fair way to be removed.

The condition of the State is now such that it is believed that railways can and will be built without the aid of local taxation, and, following the example of nearly all the other States of the Union, a provision has been inserted which forbids cities, towns, counties, or parts thereof from voting a tax under any circumstances in aid of such corporations.

Experience seems to have demonstrated the value and importance of a Railway Commission. Repeated efforts have been made by railroads to repeal the statute providing for this service, and it was thought wise to give more stability and consequently more efficiency to this commission; and its members have been made constitutional officers, and thereby rendered not only more independent, but more fearless in the guardianship of public interest.

The cause of common school education, always of prime importance in this State, will, from the work of the convention, receive new strength. The direct tax coming to Kentucky from the general government, amounting to over \$600,000, will become part of the school fund and will restore to this great cause that which nearly half a century ago was, by adverse legislation, taken from this noble work.

All that part of the old Constitution in conflict with the Federal Constitution in reference to slavery has been omitted.

The claim has been widely made that this proposed Constitution is not only of extreme but of unusual detail, and unnecessarily legislative in its provisions. An examination will show that in the present Constitution there are about twelve thousand five hundred and eighty words, and in this proposed one, about twenty-

one thousand words, and, therefore, it is only about sixty per cent. larger than that of 1849-50.

The subjects of railroads, municipalities, revenue and taxation, corporations and public charities, are covered by new articles. All these have been rendered necessary by the changed conditions of the State during the past forty years. Excluding these new matters, the proposed Constitution is shorter than the present one. The Constitution submitted for your approval is about the average length as that of Arkansas, Colorado, North and South Dakota, Washington, and shorter than that of Missouri, and ten per cent. shorter than that of Maryland.

We have enumerated in this address, necessarily brief, a few of the more important changes which, in the judgment of your representatives, were demanded by the present condition of the State, and requisite for the furtherance of its political and material welfare. The whole instrument is submitted with the confident belief that its provisions, while not without defects and those imperfections incident to all such work, but susceptible of change at the will of the people by its open clause, will secure certainly a more effective government, a more uniform distribution of burdens, a more economical administration of all State, county and city affairs, and a more complete protection to the common welfare.

In 1860, David Dale Owen, in his report as state geologist, wrote that "no complete geological map of the entire State of Kentucky could be made until the surveys were completed of the Bluegrass rim marked by Muldraugh's Hill, from Hardin and Lincoln counties on the south-east, Big Hill in Madison county on the south, and Bath and Lewis counties on the east." This broken and abrupt division belt between the lower silurian and carboniferous and sub-carboniferous regions must be defined and accurately fixed. This result State Geologist Procter claims to have accomplished. He has been enabled to present a map with the geological outlines and features complete of the State, though it will require two or three years to finish the details of surveys of some thirty counties.

To 1886 and 1887, the splendid coal fields, covering the region of over twenty counties in East Kentucky at the head waters of the Big Sandy, Licking, Kentucky and Cumberland rivers, had been but partially surveyed. An active corps was organized and placed in this field, under the able and trained leadership of Prof. A. R. Crandall, and with results far exceeding the most sanguine expectations. In the report of 1887, Prof. Procter says that in addition to the coals beneath the conglomerate sandstone, forming the base of the coal measure proper, we have above the conglomerate, north of Pine mountain, sixteen hundred feet of measures, containing nine beds of coal of workable thickness. Between the Pine and Cumberland mountains there is a greater thickness of the coal measures, containing twelve or more workable beds. In places two and sometimes three of the measures are cannel coals of remarkable richness and purity. The largest known area of rich cannel coals is found in Eastern Kentucky, and the largest known area of coking coal is found in the same section; and this coking coal is more advantageously located with reference to cheap and high grade iron ores than any other known. Cannel coal lies in sixteen of

the counties of this region, some of which excels the most celebrated coals of this kind in Great Britain. The coking coal lies in thick beds over sixteen hundred square miles of territory, through Pike, Letcher, Harlan, Floyd, Knott, Perry, Leslie, and Bell counties.

Rich iron ores have long been known in quantities and of value in Bath county, in North-eastern Kentucky, and in the Red and Kentucky river valleys. The large deposits of Clinton ore, dyestone and red fossil along the eastern base of Cumberland and Stone mountains and duplicated on the slopes of Powell's mountain and Walden's ridge, and in the Oriskany ore beds of Pine mountain, were brought more prominently to the knowledge of the public. These, together with the rich and inexhaustible fields of iron deposits, fronting the border line of Kentucky for one hundred miles, in Virginia, Tennessee, and North Carolina, began to interest the attention of capitalists abroad. The proximity of all the materials necessary to the manufacture of iron and steel, in great abundance, presented opportunities unsurpassed anywhere in the world. The vast forest of timber covering this hitherto inaccessible region adds to the attraction for enterprise and development.

Large investments in mineral and timber lands, on the part of English and American capitalists, very soon followed the publication of these authentic reports of the geological survey by Professor Procter. The developments have been most marked in Bell county. Within two years the mountain village of Pineville has grown to the proportions of an infant city, and the city of Middlesborough, built up from the forest, to be peopled by thousands. The taxable wealth of Bell county has increased from one million to over seven million dollars. Railroads have penetrated this region and, tunneling the mountains, have opened to the commerce and traffic of the world the vast stores of natural wealth hitherto inaccessible. These coking coal fields are supplying fuel for a number of furnaces for making iron, and large quantities are being carried to distant cities—even as far as St. Louis—for the gas supply of the same. *Already six large coke iron blast furnaces have been completed and two others commenced in this vicinity, with a total capacity for an annual product of over three hundred thousand tons. This is but the beginning of the development for South-east Kentucky.

The improvement in the north-east, and within a radius of fifty miles around Ashland, has been almost as marked. Similar results appear in the region of the Tennessee and Cumberland rivers, in a notable field of iron ores, of which Grand Rivers is the center. Not less rapidly have the coal mines interspersed over the eleven thousand square miles of coal area in East Kentucky and four thousand five hundred square miles in West Kentucky been opened up, and their products added to the commerce and wealth of the State.

*Geological Report, 1890-92.

The report shows that the survey has brought to knowledge the existence of extensive deposits of fire and pottery clays of great variety and excellence in the counties west of the Cumberland river and in other localities; lead ores and fluor-spar in Caldwell, Crittenden and Livingston counties; asphalt rock, marls, cement rock, salt brine, natural gas and clays for making paving brick of great excellence and quantity in



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the district of Meade, Breckinridge and Grayson counties; petroleum in the Cumberland counties, from Wayne to Barren; and building stone of great value in many localities.

Associated with the geological and mining history of the State is the important department of Inspector of Mines and the duties assigned to the same. The growth of the mining interests made necessary the creation of this office in 1884. In May of that year, Mr. Charles J. Norwood was appointed Inspector of Mines by Governor Knott, and has continued to fill the office since.

The report of Inspector Norwood for 1891 is a reliable and interesting history of coal mining in Kentucky, now just emerging from its age of infancy. For the year ending June 30, 1890, the output of bituminous coal from the mines of Western Kentucky was 30,417,289 bushels; of South-eastern Kentucky, 17,443,689 bushels; of North-eastern Kentucky, 10,435,071 bushels, making a total of 58,296,049. The total output of the same fields for the year ending June 30, 1891, was 67,610,660 bushels, an increase of 9,314,611 bushels. From the table of product for the last twenty years the output for 1870 was but 4,228,000 bushels; for 1880, 23,657,200 bushels, and for 1890 (to December 31st), 62,078,609. This increase was over five hundred per cent. during the first decade and over two hundred per cent. the second. Four thousand nine hundred and forty-one persons were employed under ground in these bituminous mines for the year ending June, 1891, in that time producing 67,610,660 bushels of coal, an average of 13,706 bushels to each miner. For the year 1890 there was produced, in addition to the above, 1,244,550 bushels of cannel coal and 517,750 bushels of coke from the new plants at St. Bernard and

Cumberland Valley Colliery Company. The bushel of eighty pounds and the ton of two thousand pounds are used in Kentucky.

Under the impetus given in part through the enterprise awakened and by improved revenue enactments, the taxable wealth of the State has increased in the decade from 1880 to 1890 over \$209,000,000, or more than sixty per cent. This was \$45,000,000 more than the increase in any other Southern State, and much more than double the average increase in all these.

During the administration of Governor Buckner, G. M. Adams was secretary of state, and C. Y. Wilson served as commissioner of agriculture. Messrs. I. A. Spaulding, J. F. Hagar and W. B. Fleming were appointed railroad commissioners. James B. Beck having died in office at Washington, while United States senator, May 3, 1890, on the 17th of the same month John G. Carlisle

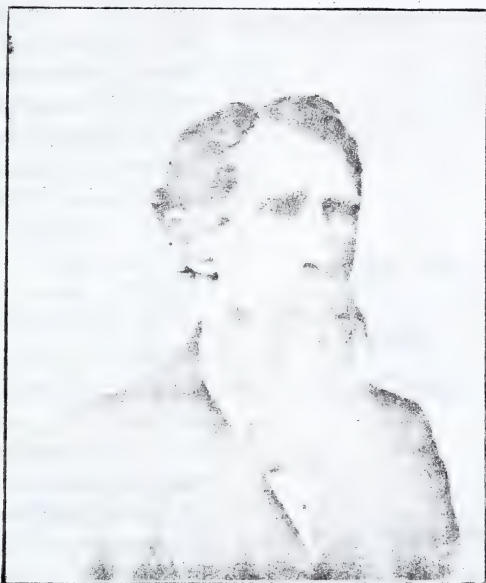


HENRY S. HALE.

was elected to succeed him. W. S. Pryor, Joseph H. Lewis, W. H. Holt, and Caswell Bennett, of the Court of Appeals, and W. H. Vost, Joseph Barbour, and J. H. Brent, the latter recently appointed by the governor to the vacancy occasioned by the death of Van B. Young, of the Superior Court, constituted the last courts of the highest resort under the provisions of the old constitution. Fayette Hewitt, having resigned as auditor, Luke C. Norman was appointed in his stead and Henry F. Duncan named to succeed the latter as commissioner of the insurance bureau. Woodford Longmoor having died during his term of office, A. Addams was appointed to the vacancy created in the office of clerk of Court of Appeals. Sam Hill was made adjutant-general of the State under the administration of Governor Buckner, C. J. Norwood inspector of mines, and W. J. Macy inspector of public trusts. Mrs. Mary Brown Day was elected librarian by the Legislature in 1890, and again in 1892.

One of the most marked features of improvement during this administrative term was in the management of the Bureau of Agriculture, under the efficient and faithful direction of Commissioner Charles Y. Wilson. Through

the judicious selection and distribution of seeds, the dissemination of information when needed and most appreciated, and the holding of Farmers' Institutes at convenient points in the State, a new impetus and life were given to agriculture and live stock interests, resulting in permanent improve-



ED PORTER THOMPSON.

ment and progress in many localities. The intelligent skill and enterprise shown by Commissioner Wilson in his department were at once creditable to himself, and of inestimable value to the Commonwealth. He has shown the possibilities of good through the agency of this bureau, for future time.

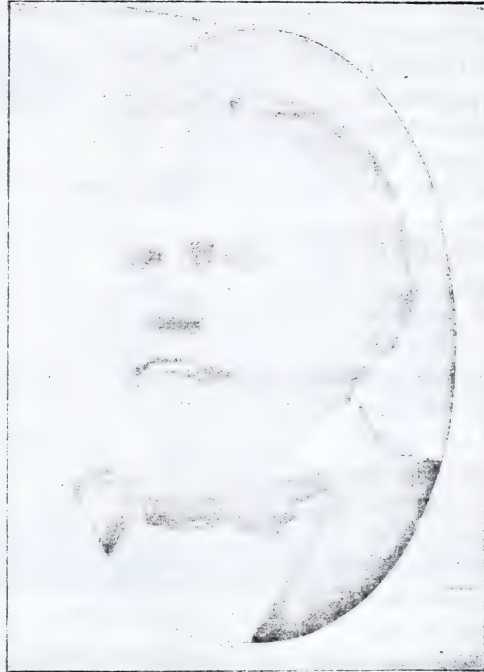
The General Assembly of 1889-90, in one of those periodic affectations of economy for which there is no defense of rational plea, reduced the tax rate for general expenses from twenty to fifteen cents on the one hundred dollars of assessed property. The inevitable increase of expenses

attendant on the Constitutional Convention, to convene in a few months, and the fact of an existing deficit of over two hundred thousand dollars in the treasury, had no effect to deter the body. By rare coincidence the sum of six hundred thousand dollars of direct tax money, expended by the State during the late war, was refunded by the Government in 1891. This was set apart by the Constitutional Convention for the benefit of the school fund, the State executing bond and paying the interest annually. The principal was put in the treasury for general State expenses. The relief from this source saved the Commonwealth from a serious embarrassment for a time; but a result was that, in July, 1892, the treasurer announced an exhausted treasury.

Few, if any, States in the Union have provided so munificently for their unfortunate citizens as Kentucky in proportion to her taxable property. The official reports for 1889 show that in the three insane asylums, at Lexington, Anchorage and Hopkinsville, there were two thousand five hundred and sixty-three subjects of lunacy being cared for, and one hundred and eighty-five outside, at a cost to the treasury of \$377,928.31. Of idiots not confined, and distributed throughout the counties, there were one thousand four hundred and eighteen, for the support of whom the

State paid in that year \$100,021.88. There were, beside these, one hundred and one inmates of the Blind Asylum, at a cost of \$28,037.67; one hundred and sixty-eight in the Deaf and Dumb Institute, at \$58,152.23, and one hundred and forty-six in the Feeble Minded Institute, at \$29,170.69.

Thus it appears that four thousand five hundred and eighty-one dependent citizens were beneficiaries of the charities of the Commonwealth at a total cost to the treasury of \$593,310.78, about one in every four hundred of the population. The cost per head of the insane in public charge is about \$134; of the blind, \$277; of the deaf and dumb, \$346, and of the feeble minded, \$200. These are the charges outside of the costs of the six handsome and commodious buildings erected by the State on the sites selected for the several institutions. The total disbursements of revenue from the treasury for the fiscal year ending June 30, 1890, were \$3,811,248.32; of this amount near \$1,530,000



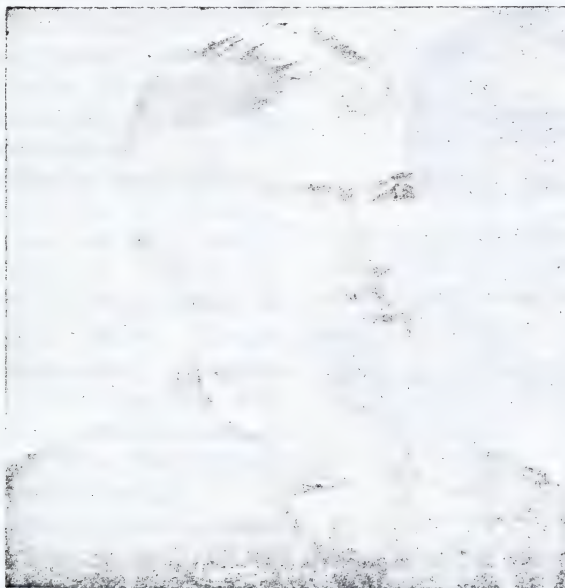
GOVERNOR JOHN YOUNG BROWN.

was paid out for education in the schools of the State. Adding to the latter amount the sum expended for public charities, and together they make fifty-five per cent. of all the expenses of the Commonwealth.

It is to the credit of the management of the Feeble Minded Institute that the first successful efforts were here made to educate and train these unfortunates to labor and for self-help. Many have been thus returned to their families and homes capable of self-support. The successful work of Dr. Stewart, through years of experiment and patient training, has given the institution a reputation throughout this country and in Europe.

The Kentucky Institution for the Education of the Blind was established fifty-one years ago, the sixth of the kind in the United States. B. B. Huntoon has presided over its management as superintendent since 1871, and with eminent fitness and efficiency. For the year ending October 30, 1891, the report shows that there were enrolled one hundred and twenty-one pupils in charge, twenty-five of whom were colored. Besides the main structure, there is a separate building for the colored and one for

the American Printing House for the Blind, with other necessary improvements, all erected at a cost of \$110,000. In this printing house are published books and literature in raised letters for the blind in many States of the Union. Under the superintendence of men of ability and experience,



JOHN W. HEADLEY.

the success of the Institution for the Deaf and Dumb, at Danville, and of the several asylums for the insane have won for these a distinction not less marked than that of the two first-named institutions.

The State offices to be filled, by a vote of the people, at the election in August, 1891, and for the last time under the Constitution of 1850, were governor, lieutenant-governor, attorney-general, auditor, treasurer, register of the land office, superintendent of public instruction,

and clerk of the Court of Appeals. For these offices were nominated respectively, by the Democratic party: John Young Brown, M. C. Alford, W. J. Hendrick, L. C. Norman, H. S. Hale, G. B. Swango, E. P. Thompson, and A. Addams. By the Republicans: A. T. Wood, H. E. Huston, T. J. Crawford, Charles Blanford, Eli Farmer, L. I. Dodge, and Robert Blain. By the Prohibitionists: Josiah Harris, H. M. Winslow, E. J. Polk, W. W. Goddard, J. M. Holmes, B. McGregor, A. B. Jones, and R. S. Friend; and by the People's Party: S. B. Erwin, S. F. Smith, B. L. D. Guffy, W. G. Fulkerson, I. G. Sallee, M. Herreld, J. B. Secrist, and W. B. Ogden. The nominees of the Democratic party were elected by popular majorities ranging between twenty-five thousand and thirty thousand votes. The usual installation ceremonies were observed in September, after the election, at the Capitol. This administrative term will be remembered as one of the most important episodes of the history of the Commonwealth. The changes made by the new constitution imposed upon the Legislature the delicate and complex duties of altering and adjusting the statutory laws of the State to the new condition of affairs; upon the judiciary, that of construing the new constitution and laws, and upon the executive, the duties of first enforcement. The General Assembly which convened

on the last days of December, 1891, continued in session over seven months. On adjournment in August, it was reconvened ten days after, on call of the governor, and was in session several months.

To simplify and facilitate the work of legislation, and in accordance with the provisions of law, the governor appointed John Carroll, W. C. McChord, and James C. Sims, commissioners to revise the statutes, and to prepare them in form for the action of the General Assembly.

On his accession to office, Governor Brown appointed John W. Headley, secretary of state, and Ed O. Leigh, assistant secretary; A. J. Gross, adjutant-general; W. H. Gardner, inspector of public offices; Nicholas McDowell, commissioner of agriculture, and C. C. McChord, Charles B. Poyntz, and Urey Woodson, railroad commissioners. Mrs. Mary Brown Day was re-elected librarian.



W. J. HENDRICK.

By a coincidence which happened with no other State in the Union, the centennial of the accession of Kentucky to Statehood as one of the United States, and the discovery of America by Columbus, occurred in the same year, 1892. February 4, 1791, Congress passed the final act of admission, to have effect June 1, 1792; and all the conditions having been complied with, Kentucky formally assumed her sovereignty as a member of the Federal Union on that day. On October 12, 1492, Columbus first sighted the land of America. Eighteen hundred and ninety-two is the first centennial of the birth of our Commonwealth, and the fourth centennial of the discovery. In commemoration of the great event of discovery, the Columbian Exposition was projected on a scale of national magnificence and international magnitude, unequaled in the history of the world, and Chicago selected as the site. The Legislature of Kentucky appropriated one hundred thousand dollars from the public treasury, to have the State duly and appropriately represented on the occasion. In accordance with a provision of the act of appropriation, Governor Brown appointed a commission of five citizens, composed of W. H. Dulaney, J. D. Clardy, John W. Yerkes, James D. Black, and Young E. Allison, for the disbursement of the money, and for the proper management of all interests and exhibits of the State during the season of the exposition. The body named appointed an auxiliary commission of three ladies, Mrs. Sue Phillips Brown and Misses Ida E. Symmes and Lucy Lee Hill, to have charge of such interests as more

especially applied to women. In 1891, President Harrison appointed James A. McKenzie, John S. Morris, Wm. Lindsay, and John Bennett, from Kentucky, to represent the exposition at home and abroad in foreign countries from a national standpoint.

The history of this event of the Nineteenth century has entered so largely into the literature of the day as to have become familiar to every intelligent mind.



L. C. NORMAN.

On the 1st day of June, 1892, the centennial of the Statehood of Kentucky, an audience assembled at Macauley's Theater, in Louisville, in commemoration of the event. Col. R. T. Durrett, under the auspices, and as the president, of the Filson Historic Club, read an interesting address, graphically reviewing the history of the discovery, settlement, and political events of the State, making a contribution of value both to the literature and history of our Commonwealth. Major Henry T. Stanton followed with a

stirring poem appropriate to the occasion, and in flowing and rhythmical verse recited again the story of adventure, of romance and heroism, stranger and not less fascinating than fiction. A banquet at the Galt House followed these literary exercises, in the evening of the same day, attended by the members of the Filson Club and their invited guests. The toasts and speeches around the dining-board were commemorative of the heroic men and women of Kentucky, and of their heroic deeds.

At Lexington, the first capital of the State, the ceremonies of celebration were of wider range and more varied. The governor and staff, the State officials and members of the General Assembly of the Commonwealth, were present, by invitation, with a large attendance of visitors from far and near.

The donation by the citizens of Philadelphia of a group of historical works of art was one of the leading and interesting incidents of the day. The collection included four paintings in oil: one, of Independence Hall, in which the Declaration of Independence was signed; one, of the building in which Thomas Jefferson wrote the Declaration of Independence; two views of Carpenter's Hall, in which the Continental Congress first met,

September 5, 1774, and in which the act admitting Kentucky to the Union was passed. Accompanying the paintings was a portfolio elegantly bound in Russia leather. This contained a copy of the letter of Hon. J. E. Peyton, of Philadelphia, to Governor Brown; a copy of the presentation testimonial of Carpenter's company; a copy of the presentation testimonials of the citizens of Philadelphia; a large photographic view of Bunker Hill monument; a similar view of Carpenter's Hall; a scene of the opening of the first Colonial Congress, called "Duche's Prayer;" a view of Independence Hall; a view of Congress Hall, in which Kentucky was admitted into the Union; a view of the building in which Jefferson wrote the Declaration; a view of the Moore House, on Temple Farm, Yorktown, Virginia, in which the terms of surrender by Cornwallis were drawn up; a view of the Yorktown monument; and last, a fine expansive view of the present Capitol at Washington. Twenty-two of the citizens of Philadelphia formed the committee of presentation of these beautiful and hallowed souvenirs of the historic past, under the lead of Hon. Jesse E. Peyton, a Kentuckian by birth and raising. Other representatives of the City of Brotherly Love with him were Hampton L. Carson, John Lucas, Francis M. Brock, John W. Woodside, Edward Shippen, James L. Pennypacker, and Granville Patton. From Carpenter's company were S. R. Mariner, Stacy Reaves, Thomas H. Marshall, Charles McDevitt, Oliver Brandin, and Jacob Garber. From the Select Council were J. M. Adams, George Myers, A. D. Wilson, John H. Baizley, Henry Robertson, James Franklin, Daniel Watt, and William C. Haddock.



PROFESSOR W. H. BARTHOLOMEW.

The distinguished guests were met with a generous welcome, and the hospitality of the State and her people extended in honor of their presence and mission. An address of welcome was made by J. H. Davidson, Mayor of Lexington, and responded to by Hons. Edward Shippen and Joseph M. Adams, of the committee. A brilliant oration by Hon. Hampton L. Carson, of Philadelphia, was then delivered, and an original poem by John W. Woodside followed. The proceedings were happily closed with eloquent addresses by Governor Brown and Hon. W. C. P. Breckinridge, when the

assemblage was invited to Woodland Park, to partake of an old-fashioned Kentucky barbecue feast, after the custom handed down by our pioneer fathers.

Thus passed into history the memorial services of Kentucky's first centennial, and the occasions of festivity that followed; when the thousands present adjourned to their homes, destined to never look upon the like again. On the 1st day of June, 1992, a few of their children, and many of their children's children, will assemble once more, with patriotic reverence and pride, to pay the tribute of respect to the memories of the historic dead, of the past and of the future, and to their great achievements, which shall add new luster and fame, with the old, to our Commonwealth.

CHAPTER XXXIII.

(1892-95.)

General unrest and discontent.
Parties and platforms. 1892.
Collapse of the speculative mania.
Mad folly of investing in "boom" properties.

Disastrous results to many worthy citizens.

The inevitable day of reckoning must come.

Ominous troubles from "strikes" and "riots."

The Agriculturists and the "People's Party."

Results of the November election, 1892.

The "Long Session" of the Legislature.

State revenues and finance.

Lottery charters revoked and forbidden.

Resolution against Pinkerton detectives.

Resolution favoring the election of U. S. Senators by the people.

The "separate coach" law.

The Capitol to remain at Frankfort.

Foreign companies must be incorporated under Kentucky laws and become residents.

Property rights of husband and wife made equal.

Classifying the cities into six grades.
Unwise legislation causes a deficit in the treasury.

Successful methods of the treasurer.
Annual receipts and disbursements.
Court of Appeals increased to seven members.

Common school law revised. The good and the evil of legislation.

Recent educational progress under good management. Needed reforms.

The great panic and its disasters, 1893.

Causes and remedies. Better outlook.

Radical changes in politics and parties.

In 1892 the tidal wave carries into power the Democracy; in 1894 the Republicans.

The tariff in 1892; silver coinage in 1894-95.

Repeal of the Sherman law.

A. P. A., or American Protective Association.

Congressional elections, 1894.

Administration of Governor Brown.

Kentucky under the panic.

The city of Louisville; its phenomenal growth in the face of disasters and panic. Its attractions and future promise.

The period beginning with the autumn of 1892 and extending to the close of 1895 will be ever memorable in the history of our country for the radical and almost revolutionary changes which occurred in its political, financial, and industrial affairs. The presidential campaign for 1892 was inaugurated in the usual manner. The Republican National Convention, held at Minneapolis, June 7th, nominated Benjamin Harrison, of Indiana, for President, and Whitelaw Reid, of New York, for Vice-President of the United States. The platform declared the indorsement by the party of the policy of high protection as set forth in the recent law of Congress known

as the McKinley bill; the doctrine of reciprocity in trade with other nations; and the use of both gold and silver by international agreement, or under such restrictions as would maintain the parity of the money coined of the two metals; these being the leading issues before the people.

The Democratic National Convention followed next, at Chicago, June 21st, with the nominations of Grover Cleveland, of New York, for President, and Adlai E. Stevenson, of Illinois, for Vice-President. The resolutions adopted condemned the Federal election law enacted under Republican rule; the policy of extreme protection under the McKinley law, but favoring a tariff for revenue only; the Republican policy of reciprocity; declared opposition to trusts and combinations of capital as against the interests of the people; for the coinage of both gold and silver without discrimination, the dollar unit to be the same value by law, or under international agreement; and for the repeal of the ten per cent. tax on State bank issues.

The National Convention of the People's party, now a formidable minority factor in the politics of the country, assembled at Omaha July 2d, and nominated James B. Weaver, of Iowa, for President, and James G. Field, of Virginia, for Vice-President, their standard bearers for the campaign. The convention declared the nation to be on the verge of ruin, moral, political, and material; that corruption dominated the ballot-box, the Legislature, the Congress, and touched the ermine; that homes were covered with mortgages, and labor impoverished; that imported pauper labor beat down the wages of honest workingmen; that the fruits of the toil of the millions are stolen to build up colossal fortunes for a few; that governmental injustice was breeding the two great classes—tramps and millionaires. A declaration of principles set forth the belief that the government should own all the railroads, and control them under civil service regulations; that a national currency of gold, silver, and paper, equal to fifty dollars per capita in volume, should be issued, and, as needed, distributed among the people on some equitable basis, not to exceed a tax of two per cent. per annum. and to be a legal tender for all debts; that a graduated income tax be imposed, in order that capital be made to bear a part of the burdens of government; and that postal savings banks be established for the accommodation of the people.

The Prohibition party, at Cincinnati June 29th, nominated for President, John Bidwell, of California, and for Vice-President, James B. Cranfill, of Texas, and proceeded to make the usual declarations of principles in regard to the traffic and use of alcoholic liquors.

The auguries were inauspicious for the party long in power, and whom the people were inclined to hold responsible, with little questioning, for the prostration in business and the depression in values which already pervaded the country. They did not pause to consider the fact that the country was already in the trough of reaction from a period of excessive inflations of property values and of wild speculations, which had run its varied and

errant courses from 1883 to 1891. This system of "booming" properties, urban and rural, was extended to every part of the United States, by professional experts, during these seven or eight years; and, unfortunately, Kentucky was enticed or dragooned into her full measure of the folly. Middlesborough, Pineville, Beattyville, Grand Rivers, and many other points were chosen and laid out as sites for future centers of mining, manufacturing, and other industries. These all had undoubtedly natural advantages of great value, and are yet destined to contribute in no small measure to the wealth and development of the State. But under the stimulations of exaggerated reports and estimates, a frenzy of speculation seized the public mind and led thousands and tens of thousands to invest their all in visionary hopes of becoming suddenly rich. At the high-tide of these excitements, lots eligibly located sold for as much per front foot as in old and established cities, and more in many instances than the ground cost per acre but a year or two before. At these fictitious values these inflated properties were unloaded upon the confiding and misguided people at five, ten, and twenty times their real value, until vast amounts of their capital, earned in years of saving, were absorbed into the hands of a few favored ones called *Promoters*, or dissipated among the crowd of adventurers. Large purchasers of lands for their mineral, timber, and other values shared the same fate.

The results of such widespread inflation and speculation in properties at fictitious values might have been anticipated, if the people had reasoned with their usual intelligence and foresight. The experiences of 1838-42, of 1857-60, and of 1873-79, were object-lessons from the pages of history to warn and instruct. To the end of 1892, there appeared no unusual financial or commercial convulsions to seriously interrupt the currents of trade. On the other hand, there were reported for the year, through the accredited agencies, but 10,270 failures in business in the United States, the smallest number since 1882, except for the year 1887. The collapse in speculation and in the values of property had brought impoverishment to many and serious embarrassment to multitudes more; but there was a disposition on the part of the creditor classes to be indulgent to debtors, in the vain hope of an early return of enhanced values and better trade. The causes, unfortunately, were too deep-seated for the realization of such a hope. A period of severe liquidation must inexorably follow that of lawless and desperate speculation. Such is the logic of events, and such the experience of history. Well would it be if in the future people would be warned by the records of the past; immeasurable sufferings and the impoverishment of multitudes would be avoided throughout the country, while vast amounts of capital squandered would find sure and profitable investment in legitimate enterprises, to become a boon to the individual and to the Commonwealth.

There appeared in the meantime ominous forebodings along the horizon of politics. The year was made a notable one for serious discontent and

outbreaks among operatives in mills, factories, mines, and other labor departments. A formidable strike of five thousand five hundred workingmen, at the Carnegie mills, at Homestead, Pennsylvania, brought on a bloody collision with three hundred armed Pinkerton detectives; the rioting was only suppressed by the governor of the State calling out the State troops to the number of some thousands. Other troubles of magnitude followed, in the near vicinity and at a distance. The next disturbance of magnitude was the "Switchmen's Strike" at Buffalo, New York, in which thousands of cars were destroyed or disabled, and hundreds of thousands of dollars' worth of merchandise in transit burned by the rioters. This outbreak was quelled only after calling out eight thousand of the State Guard. These protests from the labor element, who were feeling the pressure of reduced wages, and of limited or uncertain employment, came nearer home in the troubles that broke out in the mining districts of Tracy City and Coal Creek, Tennessee, and in other disturbances which were directly or indirectly felt in Kentucky.

The condition of the agricultural classes was emphasized in the body of resolutions put forth by the convention of the People's party, made up mainly from the rural districts. These resolutions declared "the two old parties to be struggling for power and plunder, trying to drown the outcries of a plundered people with the uproar of a sham battle over the tariff, so that capitalists, corporations, national banks, rings, trusts, watered stock, the demonetization of silver, and the oppressions of the usurer, may all be lost sight of. They propose to sacrifice our homes, lives, and children on the altar of mammon; to destroy the multitude in order corruptly to swell the funds of the millionaires."

The enormous increase of government expenditures, and the continued aggregations of gains in the hands of capitalists; the operations of the laws exempting property from its share of taxation and putting the burdens on the people; the growing impoverishment among the masses by the lowering of the prices of the products of labor, on the one hand, and the drastic processes of depletion by overwrought taxation and subsidizing in the interest of favored classes, under cover of unjust laws, it was alleged, justified the assertion that "the nation was brought to the verge of moral, political, and material ruin."

It was under the arraignment of such a public sentiment, fevered and distressed by combined misfortunes and wrongs, that the presidential election was held in November, 1892; it was not strange that the party longest and last in power should have suffered the sacrifice of expiation upon the altar of public censure. The total popular vote cast was 12,154,542, of which 5,556,533 were for Cleveland, 5,175,577 for Harrison, 1,122,045 for Weaver, 279,191 for Bidwell, and 21,196 scattering. Of the total 444 electoral votes, 277 were cast for Cleveland, 145 for Harrison, and 22 for Weaver.

In this election the popular vote of Kentucky was 340,844, against 344,800 cast for Cleveland and Harrison four years previous. Of these, 175,461 were for Cleveland, 135,441 for Harrison, 23,500 for Weaver, and 6,442 for Bidwell. For this, the centennial year of the birth of our Commonwealth, there were elected to represent Kentucky in the Fifty-third Congress, beginning March 4, 1893, from the First district, Wm. J. Stone; Second, Wm. T. Ellis; Third, Isaac H. Goodnight; Fourth, A. B. Montgomery; Fifth, A. G. Caruth; Sixth, Albert S. Berry; Seventh, W. C. P. Breckinridge; Eighth, James B. McCreary; Ninth, T. H. Paynter; Tenth, M. J. Lisle; Eleventh, Silas Adams, all of the Democratic party, except Adams. J. C. S. Blackburn and Wm. Lindsay were members of the United States Senate at the same date; John G. Carlisle having resigned his seat in that body to assume the office of secretary of the treasury in Mr. Cleveland's cabinet, Mr. Lindsay was elected to the vacancy. For the first time since the accession of President Lincoln, in 1861, a period of thirty-two years, the Democratic party came into control of both the executive and legislative departments of the Federal government, and for the first time was responsible for the legislative and administrative policy.

The first Legislature following the adoption of the constitution met December 30, 1891, and adjourned August 16, 1892, to meet again November 15th after. The governor felt it imperative, on account of serious doubts of the constitutionality of some of the bills passed and left for him to sign, that the body should at once convene again; he called the members to reconvene August 25th, to revise and extend the work done. With the exception of an interval from December 3, 1892, to January 2, 1893, embracing the Christmas holidays, the session was continued until a *sine die* adjournment July 3, 1893, eighteen months and four days from the first assembling—the longest session in the history of the State.

The additional reforms introduced under legislation into the system of State, county and district taxation have almost entirely removed the old abuses which had grown to enormous proportions under assumed rights of exemption, and under exceptional rights of limited or special taxation. In alignment with the letter and the spirit of the constitution, the properties of all banking, insurance, telegraph, and other corporations are placed on the same footing with the property of individuals for assessment for revenue purposes. In addition, all corporations enjoying valuable franchises are made subject to additional taxation on what is called their franchise, the rate of taxation being governed by the value of the property as shown by the net earnings. In this way, street railway, electric light, water, gas, telephone, and other companies earning profits by franchises granted by municipalities make some return to the public for the special favors bestowed.

The visible effects of these revenue reforms are manifest. The board of equalization, commissioned to adjust the varied assessment returns from the counties to a uniform rate, had fixed seventy per cent. of the actual

cash value as the standard for all, hitherto, but advanced the standard to eighty per cent. in 1893. The result was that the total assessed value of property in the Commonwealth, for taxation in 1892, was \$552,764,538, and in 1893, \$596,799,076, an increase in one year of \$44,034,538. It is apparent that, but for this ten per cent. increase of rate, the total of property assessed for taxation in 1893 would have fallen below that of 1892. This is readily accounted for by the shrinkage in the values of properties of all kind, caused by the terrible monetary and commercial depression which spread disorder and ruin over the entire country.

The constitution clearly revoked all lottery charters hitherto granted by statutory enactment. The previous Legislature had repealed all such acts of charter, and other acts granting lottery franchises; but such acts of repeal were contested by the companies on the ground of vested rights. To more successfully enforce the laws and the provisions of the constitution, a bill was passed, and approved January 30, 1892, directing the attorney-general "to institute and prosecute such legal proceedings as may be necessary to suppress or revoke all lotteries or lottery franchises operated in the Commonwealth."

So offensive to the ideas of right and humanity had become the growing custom elsewhere, to hire and introduce Pinkerton or other detectives, or other armed forces from neighboring States, for the suppression of strikes and outbreaks on the part of discontented laboring men, that a law was enacted making it a misdemeanor, with punishment by heavy fine and other penalties, for any person to employ or to import such armed forces within the State limits.

A resolution instructing our senators and representatives in Congress to favor and support a measure to secure an amendment to the Constitution of the United States, empowering the people, by popular vote in the several States, to elect their senators in Congress, was passed by a good majority; also a resolution for a commission to assist in locating the position of the Kentucky troops, of both armies, at the battles of Chickamauga and Missionary Ridge.

On May 24, 1892, an act was approved compelling all railroad companies in this State to provide separate coaches or cars for white and colored passengers; but providing that no discrimination in quality, convenience or accommodations in the coaches or partitions set apart for white and colored passengers should be made. The discontinuance of the old custom of providing first and second class cars, with discriminating rates of fare, was largely responsible for this. It brought the rowdy and lawless element into immediate contact with the civil and orderly in the railroad coaches, and subjected the latter to repeated scenes of drunken and disorderly violence.

With a view to the final settlement of the question of the permanent location of the Capitol of the State, the Legislature sitting in 1892 passed

a joint resolution creating a committee to solicit and receive propositions for the site of the Capitol, with terms and advantages offered. Louisville, Lexington, Danville and Bowling Green entered their respective claims as eligible sites, and the report was laid before the legislative body, which met in 1894. In the bill offered, the name of Louisville was inserted to fill the blank on the final vote disposing of the question. It was voted down by a decisive majority, and by the terms of the constitution Frankfort was left without a rival for the coveted prize. There is now no apology or reason for further delay on the part of the General Assembly next in session making provision for the completion or building of a State Capitol edifice, on a scale creditable to the intelligence of the people of the Commonwealth, and ample for its uses for centuries to come. A tax of ten cents on the one hundred dollars of property for two years would furnish over one million dollars for the purpose. The condition of our State building for a generation past is a standing reproach to the intelligence and taste of our citizens.

On July 12, 1893, a bill was approved, and became a law, prohibiting foreign companies, associations, and corporations from owning or controlling any railway, or part of a railway, in the State of Kentucky, until they have become corporations, citizens, and residents of this State.

Among the important acts passed by the long session of the Legislature of 1892, was one classifying the cities and towns of the State into six grades. Of cities of the first class there is but one, Louisville. Lexington, Covington, and Newport make up those of the second class; Paducah, Owensboro, Henderson, Frankfort, and Bowling Green, those of the third class. There are separate chartered provisions under the general law, requirements of the constitution, for each class only, while under the former regime each city or town had its own separate charter. This will tend to simplify and improve the administration of municipal government within the Commonwealth for the future.

After years of agitation the General Assembly, in 1893, enacted a just and liberal law defining anew the property rights of husband and wife. The inequalities of the old law were removed, the woman, after marriage, retaining the same rights of ownership and control of the property which came by her that the husband does with his own, which are almost absolute. The same rule applies to property which may come into possession after and during marriage. On the death of either husband or wife, the laws of inheritance apply in the one case as in the other.

As anticipated, the unwise action of the Legislature which preceded the Constitutional Convention in reducing the State tax rate produced its natural results. The unusual expenses incurred by the sittings of the convention and the long legislative session, which continued from the 30th day of December, 1891, to July 3, 1893, with intermissions of a few days, caused a depletion of the treasury. The auditor reported a deficit of

\$79,891.77 on May 17th, and estimated that it would reach \$200,000 by the close of the fiscal year. The treasurer suspended payment of claims against the State on June 30th, that funds might accumulate sufficient to meet the demands of the school fund, which would be \$700,000, October 1st. Really, at this date, while there was \$218,000 in the treasury to the credit of this fund, the general expenditure fund had overdrawn its account the sum of \$300,000, with no resources for recuperation until the revenues from taxation were paid in the fall. These facts, however, do not imply that the State of Kentucky is in a bad condition financially. The credit of no Commonwealth is better abroad. The slight embarrassments are but superficial and transient, and have been readily met and provided for by the able management of the present State treasurer. The bonded debt of Kentucky is little more than nominal, excepting some two millions or more due the school fund, on which it is desirable that the State only pay the interest yearly.

In February, 1890, Henry S. Hale, a practical banker of Graves county, was appointed State treasurer. Up to that period the surplus of State funds had been deposited in certain banks at Frankfort, and the use of the same permitted without any charge for interest. The sum at the time amounted to \$400,000. Treasurer Hale's banking experience led him to believe that an appreciable saving to the State could be made from this source. A bill was then pending in the Legislature to constitute two of the banks at Frankfort the sole depositories of these funds, with the provision that "*no charge be made by said banks for the services thus rendered.*" The measure was arrested in its passage. Though the treasurer and his bondsmen were responsible for any loss of public funds, Mr. Hale effected arrangements with these and other banks to pay an average rate of two and three-quarter per cent. interest on all State funds deposited with them; but agreeing for the State to pay interest on any deficit in case the treasury should need to borrow at any time, such deficits recurring now yearly, from the action of the Legislature reducing the *ad valorem* taxation. From July 1, 1890, to September 30, 1893, interest was thus paid on an average of \$360,000 of surplus State funds, producing a gross addition to the revenue of \$28,939, while but \$2,047 was paid to the banks for money borrowed on deficits.

The receipts and disbursements of the treasury annually amount to more than \$4,000,000, about one-half of which comes from *ad valorem* taxation on real and personal property assessed; the remainder comes from banks, railroads, and other corporations, license tax, trustees of jury fund, and other minor sources. Over \$2,000,000 of this is paid out for the public schools, \$500,000 for the support of the asylums, charitable institutions, and pauper idiots, leaving less than \$1,500,000 for general expenses. It was a cause of congratulation to the people of the Commonwealth, that the finances were managed with rare skill and success during the critical era

of the panic, from July 1 to October 1, 1893. Several hundred thousands of dollars remained in the banks drawing interest and giving relief to the country.

The constitution provided for an increase of the number of judges constituting the Court of Appeals from four to seven. In conformity with this, the Legislature, by enactment, divided the State into seven districts, from each one of which a judge should be elected by the people of the same, at times designated, to serve for allotted terms or for regular terms of eight years. A vacancy on the bench was created by the death of Judge Caswell Bennett, August 9, 1894, before the law became operative. Isaac M. Quigley, of Paducah, was appointed to this vacancy by the governor, to serve until a successor was elected and qualified. John R. Grace, of Trigg county, was elected from the First judicial district in November, 1894. At the same period B. L. D. Guffy, of Butler county, was elected from the Second district; Sterling B. Toney from the Fourth, and Thomas H. Paynter from the Sixth. Of the former members of the court, Judges Wm. S. Pryor, Joseph H. Lewis and James H. Hazelrigg hold over until the close of their terms under the old law. A contest having been made in the Fourth district, composed of Jefferson county, over the vote cast, on the part of St. John Boyle, the Republican opponent of Judge Toney, the latter withdrew from the contention, and the revising board of State officials declared a vacancy to exist. George B. Eastin, of Louisville, was then appointed by the governor to serve until another shall be duly elected. On this organization of the Appellate Court of seven members, the provisional Superior Court no longer exists, as the constitutional court is able to meet all demands.

Toward the close of the long session of the Legislature, in 1893, after much unnecessary contention and delay a revised and amended bill, modeling the common school system for its future operation, became a law. On the whole, the measure was an improvement on previous laws on the same subject; yet, in the chaos of amendments and discussions, some changes were made that it would have been well to have left out. The most serious defect of legislation in the interests of the common schools of Kentucky consists in the failure to provide, by supplementary local taxation, to extend the annual session of the school to a minimum term of not less than seven months. The only simple and practical method of doing this, under the civil divisions of the territory of our State, is to adopt the county as the unit of taxation for revenues to supplement the State school fund. We have no township divisions as in many other States: and our arbitrary single school districts are often too small and weak to constitute an effective unit for the processes of taxation. In our more fertile counties a local tax of ten or fifteen cents on the one hundred dollars would give the revenue needed to secure seven to nine months free schools in every district. In the other counties, twenty to thirty cents on the one hundred

dollars would accomplish the desired end. Or, a poll-tax of two dollars on each citizen subject to the same would accomplish the result in each county. The plea for the latter method of taxation is, that it appeals to that manly sense of equity and right which every citizen should feel, that for every great benefit enjoyed by all each individual should assume some share of the cost, however little it might be. There are many who pay no *ad valorem* tax, owning no assessable property, yet who are industrious, virtuous and valuable citizens. Many have children to educate. Few of these, who would accept seven months' free schooling for one or more children, worth at least fourteen dollars for each child pupil, would object to paying a poll-tax of two dollars yearly for all. Indeed, if the opportunity was given by law, the good citizen's self-respect and sense of justice would lead him to contribute this much for the common good of all with pride and pleasure. But the rarest few among laboring men would deem it a burden to pay so small a sum, in so good a cause, in which he was so largely a beneficiary. There are some persons, perhaps, who would pay no poll-tax; there are very many now who pay no *ad valorem* tax.

Another serious omission is the refusal of our legislators to adequately provide for training schools of an order, and in numbers sufficient, to elevate the grade of teachers, and to qualify them for the rapidly growing demands of our schools. Graded schools are multiplying in our towns and cities, and the country schools are improving throughout the State. Kentucky commonly keeps pace with the progress of the age, by adopting the most improved methods and means of advancement known to experience. These two reformatory features added to our system, good administration and management will rapidly place the people of the Commonwealth in the front with the most favored of the country.

It is gratifying to the friends of education to note the genuine and healthy improvement of our common school interests in their every detail. Within the last few years there has been almost a complete evolution from the typical old and unsightly log hut, with its poverty-stricken internal and external shabbiness, to the tidy, commodious, and attractive modern schoolhouse, with cheerful environment without and tasteful comforts within. The backless and bare slabs for benches and desks are supplanted by modern furniture of elegant style and convenience, and the walls supplied with choice maps and charts, with the convenient blackboard in view for ready use. These changes embrace entire counties in many instances, and extend over large portions of all others. The progress made in the training and improvement of teachers, the superior work done by a more efficient corps of county superintendents, and the greater interest manifested by the trustees, are evidences that the campaign of education going on is far-reaching and effective. The recent system of grading the studies and classifying the pupils in the respective grades, introduced under the present State superintendent for all the country schools, is a radical reform,

long and imperatively needed. It should be faithfully observed by every teacher, who may thus make the work done in the schoolroom doubly valuable to the pupils. The efforts to build up libraries for the counties, and sometimes for the schools, can not be too highly commended. Books are educators of themselves, under the pleasant companionship and tutorage of which the teacher, the pupil, and oftentimes the patron and neighbor are ever expanding the horizon of knowledge, and drinking in new inspiration of thought and emulous desire for that which is noblest and best in life. They are the joy and strength of youth and the solace of old age.

It is related of Mahomet, that one of his disciples approached and said: "Prophet, my father is dead; what can I do best to show my filial affection, and to honor the memory of an ancestor so worthy and beloved?" "Go, my son," replied the Prophet, "and dig a well in the desert, and for all time to come the weary pilgrim, the thirsty traveler, and others who pass by and drink of its cool waters will bless the name of your father!" So of every one who builds a library of good books in a community of people; he digs a well in the desert, and may ever after be remembered and blessed.

Auxiliary and akin to the library, the institution of the work of the reading circles among the teachers and others of the several counties must result in great good in the promotion of a taste for literature and study. The readiness with which the superintendents and teachers have responded to the call of the State superintendent and his associate examiners, the first year of experimental trial, is an earnest of success in this field. Indeed, when we recall the marvelous results of reading circle work in other States, we can only wonder that it was not introduced in Kentucky before. The initiative is but one feature of the enterprise and new life Superintendent Thompson is infusing into the system. In the State of Indiana, the "Teachers' Reading Circle" was organized eleven years ago. Of its work, the recent official circular says: "Its history has been one of continued growth. It has added greatly to the general culture of the teachers; no agency has contributed in larger measure to the educational progress of the State." It embraces almost the entire profession of teachers. Supplementary to this, the "Young People's Reading Circle" was organized in 1887. The same official circular adds: "This circle closes its sixth year with a membership of one hundred and fifty thousand. This phenomenal growth attests the loyalty of the teachers and school officers to the best interests of the children of the State. Hundreds of libraries have been established in the districts, placing within easy reach of the pupils the best thoughts of the best writers, fostering the habit and cultivating the taste for choice literature. A movement so fruitful of good to the young should command our earnest support."

The educational interests of the people of Kentucky have suffered immeasurably from ignorance, enmity and obduracy in our legislative halls,

for the past fifty years. The best efforts of friends have often been baffled and beaten down for a time. The awakening comes tardily, after long waiting.

The year 1893 proved to be the culminating period of disaster resulting from years of methods crafty and factitious, rather than wise and patriotic, and which had brought about conditions abnormal in politics, in finance, and in trade. The shrinkage in values not only kept all properties and articles of merchandise at the lowest ebb; but the long-continued reaction and stagnation in business so undermined confidence that the creditor classes despaired of the better period for liquidation and payment they had been hoping for. Matters grew from bad to worse, inevitably. The feeling of suspense and apprehension rapidly intensified into one of general alarm and distrust. The situation required but the sensational incidents of a few important failures to precipitate a general and widespread panic throughout the country. The incidents came and the catastrophe followed.

The number of failures in the United States for 1893 reached the total of fifteen thousand five hundred and sixty, exceeding by over three thousand the number reported for any previous year, and five thousand two hundred and ninety more than for 1892. The total of liabilities for these failures in 1893 was \$402,400,000, and the assets \$262,400,000, about sixty-five per cent., figures nearly four times greater than for 1892. There were six hundred bank suspensions, of which three hundred and seventy were failures and classed with the above total. Two hundred and forty of these bank suspensions showed an excess of assets over liabilities by which they were enabled to resume again. Deposits in the national banks alone decreased to the amount of \$300,000,000, the result of withdrawals from lack of confidence, and private hoardings. General distress followed these disorders and the currents of business and trade settled down into a stage almost of stagnation. The demand for currency fell off until money soon became a drug in the market. Idle money began to accumulate as a natural result in time, and by the close of 1893 there was lying in the associated banks of New York alone \$207,000,000 unused. No speculator or trader desired money for a venture at such a time; no merchant wished to increase his stock of wares or his liabilities in the face of danger.

Farm products shared in the universal depression. Although the yields were comparatively small, prices were the lowest ever before reached. Of the four great staples, there was a decline of six per cent. in corn over 1892; nine per cent. in oats, sixteen in wheat and seventeen in cotton, aggregating a loss of \$220,000,000 on these alone. The prices of wheat fell below forty and fifty cents on the farms, according to distances from market; other grain and products shared in the decline. A great deal in hog products in Chicago had forced the price of pork to nineteen dollars per barrel, when, August 1st, in the midst of the crash of toppling banks, commercial houses and other institutions, the price dropped in a single day to

ten dollars per barrel, aggregating losses to the amount of many millions. Nearly or fully one-half the factories of the leading products of the country closed down, railroad and other corporations or companies reduced both the number and wages of employes, while mining and other great industries worked on fractional time or ceased work altogether. The numbers of working men and women thrown out of employment, to drone in idleness around desolate homes or to tramp the country in aimless discontent, reached into the millions, while the number of helpless dependents on them swelled to many millions, conditions discreditable to our civilization.

It is not the province of State history to enter into descriptive details of the financial, industrial and social disorders which resulted from what will be known in the future as the great panic of 1893. The prostration and disorder to business and finance have been, perhaps, as great on the whole as from the eventful panic which began in September, 1873, and to which we have referred in a previous chapter of this history. The latter spread its pall of ruin and wretchedness over the people of the country throughout a period of over five years. During these long years of distress factories were closed, industries were paralyzed and hundreds of thousands of idle but honest working people roamed the country vainly seeking for employment and wages to drive the wolf from the door. Whether the causes of the present panic are as deep-seated and the remedies as ineffective to stay the evils or not, the future must tell. At the present date, two years after the panic set in, the omens for a return to a more healthy and prosperous era at an early day are promising.

Radical changes in political sentiment have been manifest within the past three years, threatening new alignments of party organizations in the future. After the inauguration of Mr. Cleveland as president, in 1893, Congress was called together for the purpose of effecting a repeal of what was known as the Sherman law of 1890, providing for the monthly purchase by the government of not exceeding \$4,500,000 of silver, and the issue of treasury notes therefor. The views of the president in favor of a single gold standard for the currency of the country were openly pronounced before his inauguration in 1885, in opposition to the traditional doctrine of the Democratic party, as set forth in the declarations of its platforms, and the utterances of its leaders. The Democratic congressmen, led by Beck, Blackburn, Carlisle, and others, were understood to favor a bi-metallic policy of both gold and silver coinage; the Democratic State Convention in 1891 so declared itself. The Democratic National Convention, declared, in 1880, for "Honest money, consisting of gold and silver, and paper convertible into coin."

In 1884, that "We believe in honest money, the gold and silver coinage of the constitution, and a circulating medium (paper) convertible into such money without loss,"

In 1888, "it renewed the pledge of fidelity to Democratic faith, and re-affirms the platform adopted in 1884."

In 1892 the platform said: "We hold to the use of both gold and silver as the standard money of the country, and to the coinage of both without discrimination against either metal; but the dollar unit of coinage of both metals must be of equal intrinsic and exchangeable value, and that all paper money be kept at par with coin."

The Republican national platform of 1888 declared that "The Republican party is in favor of the use of both gold and silver money, and condemns the policy of the Democratic administration in its efforts to demonetize silver." In 1892 it again said: "The Republican party demands the use of both gold and silver as standard money, with restrictions to be determined by contemplation of values of the two metals, so that the purchasing and debt-paying power of the dollar be equal at all times."

It was agreed by all parties that the Sherman law was a vicious measure, the result of a compromise between the Eastern monometallists and the delegates in Congress from the silver-producing States to prevent the passage of a bill pending for the free coinage of silver in 1890. The issue now made was to repeal only, or to repeal with a provision added for the restoration of the coinage of silver on the same terms with gold. It was soon obvious that the whole power of the Democratic administration was to be wielded in favor of establishing a gold basis for the currency of the future. It was just as obvious that a powerful opposition to the administration, within the party, was arrayed in Congress. The administration measure for simple repeal finally passed, but it was by the anomalous conditions of the support of the Republican senators, who voted a majority for repeal. The Democratic senators voted by over two-thirds against the measure.

The bold and determined stand of the president and his political household against the policy of bimetallic coinage caused a formidable breach in the national Democratic party, and crystallized an issue that will doubtless breed contention until the coinage policy is settled one way or the other. The Republican party is likewise almost as much divided in sentiment on this question. It dominates the politics of Kentucky to-day, and the ground here is being fought over with the same earnestness and intensity of feeling as in other States.

In the presidential contest of 1892 the living and paramount issue was that of tariff reform. It is but due to say that the administration and the Democratic Congress in 1893 redeemed the pledges of the party platform fairly well, in an elaborate measure reducing and adjusting the tariff laws more nearly to a revenue basis; although powerful opposition on the part of Eastern members of the party, supported by Republican sympathy and aid, forced many modifications of the bill favored by the administration. The law as revised is now operative and on trial before the people.

There appeared on the political horizon, some three years since, what seemed "a cloud no bigger than a man's hand." It was soon manifest that the "ghost" of the old Know Nothing party of forty years ago had reappeared and had actually taken the form and attributes of a political personality. With its secret lodge colonies, its rituals and pledges, and signs and pass-words, it is modeled much on the same order, while the spirit of hostility to the Catholic Church and to foreign emigration and foreign influence in our politics betrays much of the characteristics of the sensational party that came and passed away so strangely in 1854-55. It reappears under the name of the American Protective Association. Under an active propagandism it has spread with marvelous rapidity throughout the country, and is already domiciled in every State and in almost every city and leading center. In many of these headquarters, and in a number of State elections, it has shown itself to have become a formidable balance of power, if not in control of a majority of the votes. Its potent influence has been felt in recent elections in Louisville and at other points in Kentucky. What the future bearings of this phenomenal movement may be upon the politics and parties of the day time only can determine. Its promoters and its membership are intensely zealous and aggressive, and with close and compact organization are likely to wield an influence to be felt.

In the Federal elections for representatives in Congress in November, 1894, a significant expression of the general and restive discontent of the people over the unsatisfactory methods of government in past years was given. Just two years before, the popular vote in the presidential election indicated a want of confidence in Republican rule under the administration of President Harrison. The transitional changes under the Democratic rule which succeeded were attended with much irritating contention and friction in the proceedings of Congress, and acrimonious criticism outside. The distress and disorders attending the great monetary panic, which was unfortunately coincident in time with the Democratic attempt at reform and readjustment, gave new cause of discontent for the supposed wrongs of government, whether real or imaginary. In the elections of November, 1894, the people were as ready to reverse their judgment and disapprove and to rebuke the Democratic administration as they were that of the Republican in 1892. The majority of the members of the latter elected to the present lower house of Congress was about as great as the majority of the Democratic members in the preceding body.

The defection extended to Kentucky, and in the aggregate vote of the State the regular Democratic majorities of 30,000 to 50,000 in past years were overcome almost totally. From the First, Second, Sixth, Seventh, Eighth and Tenth Congressional districts there were respectively elected John K. Hendricks, John D. Clardy, Albert S. Berry, W. C. Owen, James B. McCreary, and W. M. Kendall, Democrats; and from the Third,

Fourth, Fifth, Ninth and Eleventh districts, W. Godfrey Hunter, John W. Lewis, Walter S. Evans, S. J. Pugh, and D. G. Colson, Republicans, standing five to six. It remains to be seen by what *finesse* of tactics and arts of pleasing the Republicans, whom fortune so favors at present, will be able to meet the fickle humors of the multitudes in their restless contents, and long retain the powers intrusted.

The year 1895 closes the administrative term of John Young Brown, governor of Kentucky. It is but a just tribute to say of this distinguished gentleman that he has served the people of the Commonwealth with consummate ability and with a fidelity which commands the highest admiration and praise. The ordeal has been a trying one. The transitional change from the old constitution to the new, and the adjustment of our code of laws and our institutions to the changed conditions required the discretion and acumen of a judicial mind, and a ready tact of statesmanship of the highest order. Governor Brown has shown himself to be equal to every emergency that has arisen within the jurisdiction of his realm of official duty. It is not invidious to say that Kentucky, perhaps, never had a chief magistrate of superior judicial and administrative abilities, nor one more imperiously true to his convictions of right and to the interests of the people whom he served.

The episode of panic and financial troubles came in the midst of the service of the present governor. From these troubles Kentucky has suffered, but not as many other States. Her people were not unusually burdened with debts, excepting in some speculative circles before alluded to. With fair crop productions, safely limited trade, and cautionary economy, the masses of the population have tided over the perilous event with comparatively little real suffering. The future seems cheering and hopeful for an era of years of steady prosperity and improvement of all material interests. While the people of the rural districts have dwelt in the midst of comparative repose and competence, the dwellers in the towns and cities have reasonably prospered in the lines of legitimate business. These municipalities themselves have almost, without exception, had a healthy growth in material improvements, which the vicissitudes of financial changes can not take from them. Especially has the improvement in our cities of the first, second, and third classes been gratifying. The increase in populations, in manufacturing industries, and in all modern institutions for the comfort and convenience of the people, is evidence of progress and enterprise.

Few cities of its class in the United States compare with Louisville, the metropolitan mart of Kentucky, in the attractions offered as a site for purposes of residence or business. The railroad facilities of the city have been quadrupled within ten years past. Five distinct trunk lines enter this great gateway between the North, the South, the East, and the West over three magnificent bridgeways, which span the Ohio river at the Falls, and make connections with the centers of trade and commerce on the Atlantic

seaboard, on the Lake shores, and on the upper Mississippi waters. Six lines of railways on the south side give ingress and egress to trains connecting with the marts of the lower Mississippi, the Southwest, the Gulf shore, and the South Atlantic waters. The Ohio river bears upon its broad bosom fleets of competing boats and barges carrying the products of the country, the mines, and the factories, from the foot-hills of the Alleghanies to the base of the Rocky Mountains, and from the watersheds of Minnesota to the Gulf of Mexico, over the entire valley of the Mississippi. Coal fields, iron ores, timber forests, natural gas wells, cotton and grain, and fertile lands are in easy vicinity. Few cities on the continent possess the elements of successful manufacture and commerce in greater abundance and more economic form.

The population of Louisville by the census of 1890, very imperfectly taken, was approximately 162,000. Since that time the city limits have been extended, taking in several suburban towns. If the ratio of increase continues as heretofore, it may reasonably be expected that the census of the next decade will make a return of over 200,000 population. One phenomenal feature of growth is worthy of note: Since the subsidence of the speculative mania four or five years ago, the increase of population, of buildings, and of business, has been the greatest of her history. While other notable centers of population have lost ground or fallen into stagnation, Louisville has forged ahead with greater rapidity than ever before. This may be attributed to several incidental causes, which have had a favorable bearing.

Within four years Louisville virtually acquired her magnificent park system. To this date \$1,600,000 has been voted by the citizens for parks. Some three hundred acres of beautiful, undulating woodlands on the east, adjoining Cave Hill Cemetery, were purchased, laid out, and converted into Cherokee Park; five hundred acres south constitute Iroquois Park, and two hundred and seventy-five acres at the west end, fronting the Ohio river, Shawnee Park. These are connected, or to be connected, by broad boulevards paved with asphalt, affording beautiful drives and promenades of ten or twelve miles extent. A number of interior small parks, neatly embellished, have also been purchased at convenient points throughout the city. Adjacent to the eastern park lies Cave Hill Cemetery, with its natural and acquired scenic beauty, unsurpassed by any other burial site in America, embracing four hundred acres.

Louisville lies in an elevated valley, above the highest known overflow, bordered on the north and west by the Ohio river, which here flows west and deflects to the south, making an elbow, and giving a frontage and natural drainage to the city of over twelve miles. The falls, while offering an obstruction to navigation formerly, make a unique feature in the view of the picturesque and beautiful Ohio. The obstruction is now overcome by the enlargement and improvement of the canal at the expense of

the general government. The city is notable for its broad avenues lined with shade trees, its spacious and verdant yards, and its handsome and commodious dwellings, which stretch for miles on either side of many of the streets. About one hundred and forty miles of local railways traverse its thoroughfares, not only connecting with every part of the city but with every interesting suburban point.

The hygienic conditions of Louisville are moderately good, and capable of being made of the best. The mortuary records show a death-rate slightly below the average of that of the cities of the United States having over one hundred thousand population. There are but two elements needed to lower this death-rate to a minimum, in comparison with other cities, and to constitute this one of the healthiest metropolitan sites in the world; *these essentials are purified water and purified air.* The Ohio river is but a sewerage channel for the waste of the cities, towns, and country, from Pittsburg to its mouth. Its foully impregnated and impure waters are unfit for drinking or culinary uses. It is a cause of congratulation that the managers of the Water Works Company have recently contracted for a thorough filtering system soon to be erected. Pure air can only be assured by thorough drainage and cleanly environment. The site of the Falls City was originally interspersed with areas of swamp lands and pools of stagnant water, which so poisoned the atmosphere with malarial exhalations that chills and fevers and bilious disorders were the rule, rather than the exception. These causes of disease, however, have been effectively removed within the limits of the city by an elaborate system of sewerage and surface draining.

It is needed now to carry this system of drainage to the level country south and west of Louisville, some miles out to Salt river, to remove all malarial causes and to make the south-west winds of summer and autumn, borne over the city, as pure and innoxious as mountain breezes. This will give to the residents the purified air needed. We learn from the city engineer that a great main sewer is already in contemplation—leading from a connection in South Louisville, south-west through the flat lands, to Salt river, sufficient in capacity for the waste of that part of the city and the surplus water of the country to be carried off. With little additional expense, this may be made the means of a thorough reclamation of the low and swampy lands of this part of Jefferson county. Besides greatly improving the hygienic conditions of both the city and country, these lands reclaimed by such drainage may be made twice or three-fold as valuable for agricultural and gardening purposes as they have been heretofore. The people of no city in this civilized age should be long permitted to live without pure air and pure water. They are not only among the chief essentials to comfort and health; they are the conditions, invariably, of health, and even of life itself.

The public school system of Louisville has reached a standard of excellence which ranks it with the best city systems known. Besides the graded schools, are the Male High School, the Female High School, and

the Manual Training High School. Primary, parochial, and kindergarten schools supplement the public needs. The fiscal school year begins with the first, and ends with the last, day of the year, thus altering slightly the pro rata from the State school fund. The total of the latter paid to the city last year was \$215,574.33, on a census of 78,216 children. Besides this sum, \$277,444.59 is raised by local taxation, giving the city a grand total of \$493,018.92, for the schools. There were 24,383 pupils in attendance, making a tuition per capita of over \$20.

The Republican State Convention met in the city of Louisville, June 5, 1895, and proceeded to nominate candidates for the several State offices, to be voted for at the election in November next. The following was the result of the action of the delegates assembled:

For governor, Wm. O. Bradley, of Garrard county; lieutenant-governor, W. J. Worthington, of Greenup county; auditor, Sam H. Stone, of Madison county; secretary of state, Chas. Finley, of Whitley county; treasurer, George W. Long, of Grayson county; attorney-general, W. S. Taylor, of Butler county; superintendent of public instruction, W. J. Davidson, of Pulaski county; register of land office, C. O. Reynolds, of Fayette county; commissioner of agriculture, Lucas Moore, of Marion county.

For the same offices the Kentucky Democratic Convention, held also at Louisville, on the 25th of June, selected and set forth the following names of leading members for its standard-bearers in the coming campaign:

For governor, P. Wat Hardin, of Mercer county; lieutenant-governor, R. L. Tyler, of Fulton county; treasurer, R. C. Ford, of Clay county; auditor, L. C. Norman, of Boone county; register of land office, G. B. Swango, of Wolfe county; attorney-general, W. J. Hendrick, of Fleming county; secretary of state, Henry S. Hale, of Graves; superintendent of public instruction, Ed Porter Thompson, of Owen county; commissioner of agriculture, Ion B. Nall, of Louisville.

On the 4th day of July, succeeded the convention of the People's party, the delegates being called to meet on this day at the city of Louisville. The result of the action of this convention was the presentation of a ticket composed of the names of the following leaders, for the offices of state:

For governor, Thos. S. Pettit, of Daviess county; lieutenant-governor, J. G. Blair, of Nicholas county; treasurer, M. R. Gardner, of Hardin county; auditor, C. H. Dean, of Woodford county; register of land office, J. E. Quicksall, of Wolfe county; attorney general, Silas M. Peyton, of Hart county; secretary of state, Dr. Don Singletary, of Hickman county; superintendent of public instruction, H. H. Farmer, of Henderson; commissioner of agriculture, W. L. Scott, of Shelby county; for United States Senator, Clarence S. Bate, of Jefferson county. The contest promises to be one of unusual interest, from the prominence of the issues involved, and of new factors of influence which appear to play a more or less important part in controlling the results.

APPENDIX.

Kentucky before Statehood.
 Governors, lieutenant-governors and secretaries of state.
 Parent settlements in Virginia and North Carolina.
 Counties of Kentucky.
 Census statistics of Kentucky, 1890.
 United States senators, 1792-1896.
 Representatives in Congress, 1792-1896.
 Chief-justices of Kentucky, 1792-1895.
 Attorney-generals of Kentucky appointed; same elected, 1792-1892.
 Speakers of the house, 1792-1894.
 Ambassadors, foreign ministers, consuls, etc., who were Kentuckians.

Federal generals.
 Confederate generals.
 Members of the Provisional government and Congressmen of Kentucky under the Confederacy, 1861-65.
 Prominent Kentuckians.
 Heads of departments and officers of the United States government who were Kentuckians, 1792-1892.
 Judges of the United States Supreme Court.
 Kentuckians, governors of other States.
 Kentuckians. United States senators from other States.
 Members of Constitutional Convention, 1890-91.

GOVERNMENT OF KENTUCKY BEFORE IT BECAME A STATE.

Robert Dinwiddie—called “lieutenant-governor”—arrived in Virginia from England early in 1752, and departed in January, 1758. His vacancy was filled for a short time by John Blair, president of the council.

The Earl of Loudoun was appointed by the King the successor of Dinwiddie, and came to Philadelphia, but never to Virginia.

Francis Fauquier was appointed lieutenant-governor, and reached Virginia in 1758. He continued governor until his death, early in 1768, when John Blair, who was still president of the council, again acted as governor.

In November, 1768, Norborne Berkley, Baron de Botetourt, arrived in Virginia as governor-in-chief. “Solicitous to gratify the Virginians, Botetourt pledged his life and fortune to extend the boundary of Virginia on the west to the Tennessee river, on the parallel of $36^{\circ} 30'$. This boundary, Andrew Lewis and Dr. Thomas Walker wrote, would give some room to extend the settlements for ten or twelve years.” Botetourt died October, 1770, after two years' service, in which he proved himself a friend of Virginia. The Colonial Assembly erected a statue in honor of him, in front of William and Mary College, at Williamsburg, which was destroyed by some vandalism in the Federal army, about 1864.

In 1772, John Murray, Earl of Dunmore (generally called Governor Dunmore), was transferred from the governorship of New York to that of

Virginia. He was the last colonial governor. He sent out surveying parties in 1773 and 1774 to survey, for himself, lands along and near the Ohio river.

June 29, 1776, Patrick Henry, Jr., the great orator of the Revolution, was elected the first republican governor of Virginia—receiving 60 votes, to 45 cast for Thomas Nelson, Sr., in the convention. The governors of the State of Virginia, up to the time of the separation of Kentucky and its admission into the Union as a State, were:

June 29, 1776 . . . Patrick Henry.	December, 1784 . Patrick Henry.
June 1, 1779 . . . Thomas Jefferson.	December, 1786 . Edmund Randolph.
June 12, 1781 . . . Thomas Nelson.	December, 1788 . Beverly Randolph.
November, 1781 . Benj. Harrison.	December, 1791 . Henry Lee.

GOVERNORS, LIEUTENANT-GOVERNORS, AND SECRETARIES OF THE COMMONWEALTH.

I. Isaac Shelby, the first Governor, took the oath of office on the 4th of June, 1792, under the first Constitution; James Brown, Secretary of State.

II. James Garrard took the oath of office June 1, 1796. Harry Toulmin, Secretary. The second Constitution was formed 1799.

III. James Garrard, being eligible, was again elected Governor; Alexander S. Bullitt was made the first Lieutenant-Governor; Harry Toulmin, Secretary. 1800.

IV. Christopher Greenup, Governor; John Caldwell, Lieutenant-Governor; John Rowan, Secretary. 1804.

V. Charles Scott, Governor; Gabriel Slaughter, Lieutenant-Governor; Jesse Bledsoe, Secretary. 1808.

VI. Isaac Shelby, Governor; Richard Hickman, Lieutenant-Governor; Martin D. Hardin, Secretary. 1812.

VII. George Madison, Governor; Gabriel Slaughter, Lieutenant-Governor; Charles S. Todd, Secretary. 1816. Governor Madison died at Paris, Kentucky, on the 14th of October, 1816, and on the 21st of the same month Gabriel Slaughter, Lieutenant-Governor, assumed the duties of Executive. John Pope, and after him, Oliver G. Waggoner, Secretary.

VIII. John Adair, Governor; William T. Barry, Lieutenant-Governor; Joseph Cabell Breckinridge, and after him, Thomas B. Monroe, Secretary. 1820.

IX. Joseph Desha, Governor; Robert B. McAfee, Lieutenant-Governor; William T. Barry, succeeded by James C. Pickett, Secretary. 1824.

X. Thomas Metcalfe, Governor; John Breathitt, Lieutenant-Governor; George Robertson, succeeded by Thomas T. Crittenden, Secretary. 1828.

XI. John Breathitt, Governor; James T. Morehead, Lieutenant-Gov-

ernor; Lewis Sanders, Jr., Secretary. Governor Breathitt died on the 21st of February, 1834, and on the 22d of the same month, James T. Morehead, the Lieutenant-Governor, took the oath of office as Governor of the State. John J. Crittenden, William Owsley and Austin P. Cox were, successively, Secretary. 1832.

XII. James Clark, Governor; Charles A. Wickliffe, Lieutenant-Governor; James M. Bullock, Secretary. Governor Clark departed this life on the 27th of September, 1839, and on the 5th of October, Charles A. Wickliffe, Lieutenant-Governor, assumed the duties of Governor. 1836.

XIII. Robert P. Letcher, Governor; Manlius V. Thompson, Lieutenant-Governor; James Harlan, Secretary. 1840.

XIV. William Owsley, Governor; Archibald Dixon, Lieutenant-Governor; Benjamin Hardin, George B. Kinkead and William D. Reed, successively, Secretary. 1844.

XV. John J. Crittenden, Governor; John L. Helm, Lieutenant-Governor; John W. Finnell, Secretary. Governor Crittenden resigned July 31, 1850, and John L. Helm became Governor, until the first Tuesday of September, 1851. 1848-51.

XVI. Lazarus W. Powell, Governor; John B. Thompson, Lieutenant-Governor; James P. Metcalfe, Secretary. 1851-55.

XVII. Charles S. Morehead, Governor; James G. Hardy, Lieutenant-Governor; Mason Brown, Secretary. 1855-59.

XVIII. Beriah Magoffin, Governor; Linn Boyd, Lieutenant-Governor (died December 17, 1859); Thomas B. Monroe, Jr., Secretary. Governor Magoffin resigned August 18, 1862, and James F. Robinson, Speaker of the Senate, became Governor. 1859-63.

XIX. Thomas E. Bramlette, Governor; Richard T. Jacob, Lieutenant-Governor; E. L. Van Winkle, died May 23, 1866, succeeded by John S. Van Winkle, Secretary. 1863-67.

XX. John L. Helm, Governor; John W. Stevenson, Lieutenant-Governor; Samuel B. Churchill, Secretary. Governor Helm died September 8, 1867, and John W. Stevenson took the oath as Governor. In August, 1868, he was *elected* Governor, serving until February 13, 1871, when he resigned to take his seat in the United States Senate, and the Speaker of the State Senate, Preston H. Leslie, became Governor. 1867-71.

XXI. Preston H. Leslie, Governor; John G. Carlisle, Lieutenant-Governor; Andrew J. James, succeeded by George W. Craddock, Secretary of State. 1871-1875.

XXII. James B. McCreary, Governor; John C. Underwood, Lieutenant-Governor; J. Stoddard Johnston, Secretary of State. 1875-79.

XXIII. Luke P. Blackburn, Governor; James E. Cantrell, Lieutenant-Governor; S. B. Churchill and J. S. Blackburn, Secretaries. 1879-83.

XXIV. J. Proctor Knott, Governor; James R. Hindman, Lieutenant-Governor; James A. McKenzie, Secretary of State. 1883-87.

XXV. Simon B. Buckner, Governor; James W. Bryan, Lieutenant-Governor; George M. Adams, Secretary of State. 1887-91.

XXVI. John Young Brown, Governor; M. C. Alford, Lieutenant-Governor; John W. Headley, Secretary of State. 1891-1895.

PARENT SETTLEMENTS IN VIRGINIA AND NORTH CAROLINA, FROM WHICH KENTUCKY MAINLY RECEIVED ITS FIRST COLONISTS.

In 1584, Sir Walter Raleigh was authorized, by royal patent from Queen Elizabeth, to "discover and occupy such remote and heathen lands as might not be possessed by Christian people, as to him should seem good." Raleigh equipped and sent out upon this mission two commanders, Amadus and Barlow, who landed, in July, upon Roanoke Island, on the shore of North Carolina. Here the "Meteor Flag" of England, as an emblem of authority, was first raised upon the present territory of the United States. After taking formal possession, in the name of his Queen, Amadus returned to England bearing the welcome news of success. In the fullness of her heart, Queen Elizabeth, the virgin queen, gave to the country the name of *Virginia*.

Popular credulity was easily moved by the glowing description of the loveliness of the scenery, the mildness of the climate, and the gentle hospitality of the natives of the new country; and in the following April, 1585, a colony of over one hundred persons embarked in seven vessels, to plant their homes and fortunes there. They landed on Roanoke Island in July. After the trials of a single year, the adventure proved too discouraging, and the colonists returned to England.

In 1587, Raleigh dispatched John White, commissioned as governor of the colony, with over one hundred others, who landed on the northern end of Roanoke Island, and began the foundations of "the city of Raleigh." White returned to England and left the colonists in other care. Among these was Eleanor Dare, his married daughter, who gave birth to a female infant, the first white child born of English parents in America. It was called, from the place of its birth, Virginia Dare.

The liberal provisions of Raleigh for this last colony could not avert for it a fate less fortunate than that which befell the first. It was not until 1590, three years after he set sail, that White was able to return to its relief. On landing and searching Roanoke Island and vicinity, not a trace of the colonists could be found. Either they perished in some way, or else, in despair, they amalgamated with the Indians, as conjectured by Lawson, the first historian of Carolina. Raleigh now assigned to Thomas Smith and others the privileges of the trade of the Virginia coast, reserving for himself one-fifth of the gold and silver that might be discovered.

In 1607, a fleet of three ships, with one hundred emigrants, under Captain Newport, sailed from England for the coast of new Virginia; but distress of weather forced them to put in at Chesapeake Bay. The settlement of Jamestown was established there, and fostered under the wise and energetic administration of Captain John Smith. It is believed that his genius and courage alone saved this settlement from the fate of the colonies of Roanoke. The settlement on the James flourished, and expanded its frontier to the Potomac river in the interior, and southward along the coast toward Albemarle Sound, for over half a century, before it again could awaken and arouse an interest strong enough to revive and plan the third and final experiment to establish an English colony on the Carolina coast. A nucleus of attraction had been formed. From time to time some Quakers, and other refugees from religious or political intolerance, settled about the Albemarle coasts, and cultivated friendly relations with the Indian tribes adjacent. In July, 1653, a colony from Virginia, led by Roger Green, settled on the banks of the Roanoke, south of Chowan river.

On the 24th of March, 1663, Charles II. granted to Edward, Earl of Clarendon, Sir John Colleton, Sir William Berkeley, Sir George Carteret, and others, all the country between latitudes 31° and 36° , from the Atlantic to the Pacific ocean, called Carolina, in honor of the royal donor. The same year, Sir William Berkeley, governor of the Colony of Virginia, visited the province, and appointed William Drummond its governor. Extensive as was the munificent grant made, it was enlarged in the proprietary interests of the same parties, in 1665, to include all the country between the Atlantic and Pacific oceans; from latitude 29° to $36^{\circ} 30'$. Two colonies, Albemarle and Carteret, were established. The first Assembly that made laws for Carolina met in the autumn of 1669; though the "General Assembly of the County of Albemarle" had met two years before.

The proceedings of the colonists of Virginia and North Carolina were of the maternal plants, from which sprang the imperishable germ of liberty, which, after the turbulent agitations of a century, accomplished destiny in the Declaration of Independence, in 1776, and gave to the oppressed of all nations an asylum for the free in the Republic of the United States. Among the powers conceded to the lord proprietors were those of enacting laws and constitutions for the people, with their advice and consent, or that of their delegates assembled from time to time. No freer country was ever organized by man. Freedom of conscience and taxation only with their own consent were first objects. Exemption from taxation for a year, non-recovery of debts, the cause of action of which arose out of the colony, within five years, a bounty of land to each settler, were provisions which suited the primitive people, who were as free as the air of the mountains, and as rough as the billowy ocean when oppressed. Their sense of manly independence could not brook the restraints of a government imposed from

abroad; yet the administration was firm, humane, and tranquil when left to govern themselves—a marked instance of the capacity of man for self-government.

In 1671, Virginia numbered forty thousand souls; Albemarle, as North Carolina was then called, over fourteen hundred. Settlements gradually extended down the coasts, around Capes Fear and Carteret, Clarendon and Port Royal.

The early colonists of Virginia and Carolina gave repeated evidences of their jealous love of liberty, and of their readiness to resist all forms of tyranny, for nearly one hundred years before the war of the Revolution. Not only were these sentiments expressed in frequent protests on occasions of abuse of power by those in authority, but in acts of resistance and rebellion when the impositions became oppressive and flagrant.

From such an ancestral origin remotely came, in the main, the daring and adventurous pioneers of Kentucky, of whose deeds of heroism and adventure their children of to-day love to read, and to hold in proud remembrance.

119 COUNTIES IN KENTUCKY, 1895.

NAME.	FOR WHOM NAMED.	COUNTY TOWN.	ESTABLISHED.	POPULATION. 1890.
Adair	General John	Columbia	1801	13,721
Allen	Colonel John	Scottsville	1815	13,692
Anderson	Richard C.	Lawrenceburg	1827	10,610
Ballard	Captain Bland	Wickliffe	1842	8,390
Barren	Treeless prairie	Glasgow	1798	21,490
Bath	Bath Springs	Owingsville	1811	12,813
Bell	Joshua F.	Pineville	1867	10,312
Boone	Daniel	Burlington	1798	12,246
Bourbon	Bourbons of France	Paris	1785	16,976
Boyd	Hon. Linn	Catlettsburg	1860	14,033
Boyle	Judge John	Danville	1842	12,948
Bracken	William, pioneer	Brookville	1796	12,369
Breathitt	Governor John	Jackson	1839	8,705
Breckinridge	John	Hardinsburg	1799	18,976
Bullitt	Alexander Scott	Shepherdsville	1796	8,291
Butler	General of Revolution	Morgantown	1810	13,956
Caldwell	General John	Princeton	1809	13,186
Calloway	Colonel Richard	Murray	1822	14,675
Campbell	Colonel John	Newport	1794	44,208
Carrisle	John G.	Bardwell	1886	7,612
Carroll	Charles	Carrollton	1838	9,266
Carter	Colonel William G.	Grayson	1838	17,204
Casey	Colonel William	Liberty	1806	11,848
Christian	Colonel William	Hopkinsville	1796	34,118
Clark	General George Rogers	Winchester	1792	15,434
Clay	General Green	Manchester	1806	12,417
Clinton	Governor of New York, Albany	1835	7,047	

NAME.	FOR WHOM NAMED.	COUNTY TOWN.	ESTABLISHED.	POPULATION, 1890.
Crittenden	John Jay	Marion	1842	13,119
Cumberland	River of same	Burksville	1798	8,452
Daviess	Colonel Joseph H.	Owensboro	1815	33,120
Edmonson	Colonel John	Brownsville	1825	8,005
Elliott	Judge John M.	Martinsburg	1869	9,214
Estill	Captain James	Irvine	1808	10,836
Fayette	General LaFayette	Lexington	1780	35,698
Fleming	Colonel John	Flemingsburg	1798	16,078
Floyd	Colonel John	Prestonsburg	1799	11,256
Franklin	Benjamin	Frankfort	1794	21,267
Fulton	Robert	Hickman	1845	10,205
Gallatin	Albert	Warsaw	1798	4,611
Garrard	Governor James	Lancaster	1796	11,138
Grant	Samuel	Williamstown	1820	12,671
Graves	Captain Benjamin	Mayfield	1823	28,534
Grayson	Colonel William	Leitchfield	1810	18,688
Green	General Nathaniel	Greensburg	1792	11,463
Greenup	Governor Christopher	Greenup	1803	11,911
Hancock	John Hancock	Hawesville	1829	9,214
Hardin	Colonel John	Elizabethtown	1792	21,304
Harlan	Major Silas	Harlan C. H.	1819	6,197
Harrison	Colonel Benjamin	Cynthiana	1793	16,914
Hart	Captain Nathaniel	Munfordsville	1819	16,439
Henderson	Colonel Richard	Henderson	1798	29,536
Henry	Patrick Henry	New Castle	1798	14,164
Hickman	Captain Paschal	Clinton	1821	11,637
Hopkins	General Samuel	Madisonville	1806	23,505
Jackson	General Andrew	McKee	1858	8,261
Jefferson	Thomas	Louisville	1780	188,598
Jessamine	Miss Douglass, mas'cred,	Nicholasville	1798	11,248
Johnson	Colonel Richard M.	Paintsville	1843	11,027
Kenton	Captain Simon	Covington	1840	54,161
Knott	Governor J. Proctor	Hindman	1884	5,438
Knox	General Henry	Barboursville	1799	13,762
Larue	John, pioneer	Hodgensville	1843	9,433
Laurel	Laurel river	London	1825	13,747
Lawrence	Captain James	Louisa	1821	17,701
Lee	General Robert E.	Beattyville	1870	6,205
Leslie	Governor Preston H.	Hyden	1878	3,964
Letcher	Governor Robert P.	Whitesburg	1842	6,920
Lewis	Captain Merriwether	Vanceburg	1806	14,803
Lincoln	General Benjamin	Stanford	1780	15,962
Livingston	Robert R.	Smithland	1798	9,474
Logan	General Benjamin	Russellville	1792	23,812
Lyon	Chittenden	Eddyville	1854	7,628
Madison	President James	Richmond	1785	24,348
Magoffin	Governor Beriah	Salyersville	1860	9,196
Marion	General Francis	Lebanon	1834	15,648
Marshall	Chief Justice John	Benton	1842	11,287
Martin	Colonel John P.	Inez	1870	4,209

NAME.	FOR WHOM NAMED.	COUNTY TOWN.	ESTABLISHED.	POPULATION, 1890.
Mason	George	Maysville	1788	20,773
McCracken	Captain Virgil	Paducah	1824	21,051
McLean	Judge Alney	Calhoun	1854	9,887
Meade	Captain James	Brandenburg	1823	9,484
Menifee	Richard H.	Frenchburg	1869	4,666
Mercer	General Hugh	Harrodsburg	1785	15,034
Metcalfe	Governor Thomas	Edmonton	1860	9,891
Monroe	President James	Tompkinsville	1820	10,989
Montgomery	General Richard	Mt. Sterling	1796	12,367
Morgan	General Daniel	West Liberty	1822	11,249
Muhlenberg	General Peter	Greenville	1798	17,955
Nelson	Governor Thomas (Va.),	Bardstown	1784	16,417
Nicholas	Colonel George	Carlisle	1799	10,764
Ohio	Ohio river	Hartford	1798	22,946
Oldham	Colonel William	Lagrange	1823	6,754
Owen	Colonel Abraham	Owenton	1819	17,676
Owsley	Judge William	Booneville	1843	5,975
Pendleton	Edmond (Va.)	Falmouth	1798	16,346
Perry	Com. Oliver Hazard	Hazard	1820	6,331
Pike	General Zebulon M.	Pikeville	1821	17,378
Powell	Governor Lazarus W.	Stanton	1852	4,698
Pulaski	Count Pulaski	Somerset	1798	25,731
Robertson	Chief Justice George	Mt. Olivet	1867	4,684
Rockcastle	River	Mt. Vernon	1810	9,841
Rowan	Judge John	Morehead	1856	6,129
Russell	Colonel William	Jamestown	1825	8,136
Scott	Governor Charles	Georgetown	1792	16,546
Shelby	Governor Isaac	Shelbyville	1792	16,521
Simpson	Captain John	Franklin	1819	10,878
Spencer	Captain Spear	Taylorsville	1824	6,760
Taylor	General Zachary	Campbellsville	1848	9,353
Todd	Colonel John	Elkton	1819	16,814
Trigg	Colonel Stephen	Cadiz	1820	13,902
Trimble	Judge Robert	Bedford	1836	7,140
Union	Motto of State seal	Morganfield	1811	18,229
Warren	General Joseph	Bowling Green	1796	30,158
Washington	General George	Springfield	1792	13,622
Wayne	General Anthony	Monticello	1800	12,852
Webster	Daniel	Dixon	1860	17,196
Whitley	Colonel William	Williamsburg	1818	17,590
Wolfe	Nathaniel	Campton	1860	7,180
Woodford	General William	Versailles	1788	12,380

Indians and Chinese, 102; whites, 1,590,462; colored, 268,071. Total, 1,858,635

By the census of 1890 the population of Kentucky is 1,858,635. Of these 942,758 are males, and 915,877 are females; 1,799,279 are native, and 59,356 are foreign born. The males are 26,881 in excess of the females. The white population number 1,590,462, of whom 59,240 are of foreign birth, and 124,304 others are the offspring of foreign parents. The

colored population numbered 268,173 in 1890; of whom 268,071 are of African descent, a decrease since 1880 of 3,380. To what causes this decrease may rightfully be attributed, we have not the information to determine. It may be of interest to note in comparison, that Massachusetts has a population of 2,238,943, of whom 1,087,709 are males, and 1,157,234 are females; an excess of 63,525 females; 1,581,806 are native, and 657,137 are foreign born.

UNITED STATES SENATORS FROM KENTUCKY.

John Brown	1792 to 1805	William Logan	1819 to 1820
John Edwards	1792 to 1795	Richard M. Johnson	1820 to 1829
Humphrey Marshall	1795 to 1801	John Rowan	1825 to 1831
John Breckinridge	1801 to 1805	James T. Morehead	1841 to 1847
John Adair	1805 to 1806	Joseph R. Underwood	1847 to 1853
John Buckner Thruston	1805 to 1809	Thomas Metcalfe	1848 to 1849
	1806 to 1807	David Meriwether	1852 to 1853
Henry Clay.	1809 to 1811	Archibald Dixon	1852 to 1855
	1831 to 1842	John B. Thompson	1853 to 1859
	1849 to 1852	Lazarus W. Powell	1859 to 1865
John Pope	1807 to 1813	John C. Breckinridge	1861 to —
Geo. M. Bibb.	1811 to 1814	Garrett Davis	1861 to 1872
	1829 to 1835	James Guthrie	1865 to 1868
Jesse Bledsoe	1813 to 1815	Thos. C. McCreary	1868 to 1871
George Walker	1814 to 1815	John W. Stevenson	1871 to 1877
Wm. T. Barry	1815 to 1816	Willis B. Machen	1873 to 1875
Isham Talbot	1815 to 1819	James B. Beck	1877 to 1890
	1820 to 1825	John S. Williams	1879 to 1885
Martin D. Hardin	1816 to 1817	Jos. C. S. Blackburn	1886 to —
	1817 to 1819	John Griffin Carlisle	1890 to 1893
John J. Crittenden	1835 to 1841	Wm. Lindsay	1893 to —
	1842 to 1848		
	1855 to 1861		

REPRESENTATIVES IN UNITED STATES CONGRESS FROM KENTUCKY, FROM 1792 TO 1896.

	IN. OUT.		IN. OUT.
Adair, John	1831-33	Anderson, William C.	1859-61
Adams, George M.	1867-75	Andrews, Landaff Watson	1839-43
Adams, Green	1847-49	Arthur, William E.	1871-75
	1859-61	Barry, William T.	1810-11
Adams, Silas	1893-95	Beatty, Martin	1833-35
Allan, Chilton	1831-37	Beck, James B.	1867-75
Anderson, Lucien	1863-65	Beckner, W. M.	1894-95
Anderson, Richard C., Jr.	1817-21	Bedinger, George M.	1803-07
Anderson, Simeon H.	1839-40	Bell, Joshua F.	1845-47

	IN. OUT.
Berry, Albert S.	1893-97
Blackburn, J. C. S.	1875-85
Boone, A. R.	1875-79
Boyd, Linn	{ 1835-37 1839-55
Boyle, John	1803-09
Breck, Daniel	1849-51
Breckinridge, James D.	1821-23
Breckinridge, John C.	1851-53
Breckinridge, W. C. P.	1885-95
Bristow, Francis M.	1859-61
Brown, John Young	{ 1859-61 1867-69 1873-75
Brown, William	1819-23
Buckner, Aylett	1847-49
Buckner, Richard A.	1823-29
Bullock, Wingfield	1820-21
Burnett, Henry C.	1855-61
Butler, William O.	1839-43
Caldwell, George Alfred	{ 1843-45 1849-51
Caldwell, John W.	1877-83
Calhoun, John	1835-39
Campbell, John	1837-43
Campbell, John P.	1855-57
Carlisle, John G.	1877-91
Caruth, Asher G.	1887-95
Casey, Samuel L.	1862-63
Chambers, John	{ 1828-29 1835-39
Chilton, Thomas	{ 1827-31 1833-35
Chrisman, James S.	1853-55
Christie, Henry	1809-11
Clarke, John D.	1895-97
Clark, Beverly L.	1847-49
Clark, James	{ 1813-16 1825-31
Clark, John B.	1875-79
Clay, Brutus J.	1863-65
Clay, Henry	{ 1811-14 1815-21 1823-25
Clay, James B.	1857-59
Clay, James F.	1883-85
Coleman, Nicholas D.	1829-31
Colson, D. G.	1865-67
Cox, Leander M.	1853-57
Crittenden, John J.	1861-63

	IN. OUT.
Crossland, Edward	1871-75
Culbertson, Wm. W.	1883-85
Daniel, Henry	1827-33
Davis, Amos	1833-35
Davis, Garrett	1839-47
Davis, Thomas T.	1797-1803
Desha, Joseph	1816-19
Duncan, Garnett	1847-49
Dunlap, George W.	1861-63
Durham, Milton J.	1873-81
Duvall, William P.	1813-15
Elliott, John M.	1853-59
Ellis, W. T.	1887-95
Evans, Walter	1895-97
Ewing, Presley	1853-54
Fletcher, Thomas	1816-17
Finley, Frank	1889-91
Fowler, John	1797-1807
French, Richard	{ 1835-37 1843-45 1847-49
Gaines, John P.	1847-49
Gaither, Nathan	1829-33
Golladay, Jacob S.	1867-70
Goodnight, I. H.	1889-95
Graves, William J.	1835-41
Green, Willis	1839-45
Greenup, Christopher	1792-97
Grey, Benjamin Edwards	1851-55
Grider, Henry	{ 1843-47 1861-66
Grover, Asa P.	1867-69
Halsell, John E.	1883-87
Hardin, Benjamin	{ 1815-17 1819-23 1833-37
Harding, Aaron	1861-67
Harlan, James	1835-39
Hawes, Albert G.	1831-37
Hawes, Richard	1837-41
Hawkins, Joseph W.	1814-15
Hendricks, John K.	1895-97
Henry, Robert P.	1823-26
Henry, John F.	1826-27
Hill, Clement S.	1853-55
Hise, Elijah	1866-67
Hopkins, Samuel	1813-15
Howard, Benjamin	1807-10
Hunter, W. G.	{ 1887-89 1895-97

	IN. OUT.
Jackson, James S.	1861-62
Jewett, Joshua H.	1855-59
Johnson, Francis	1821-27
Johnson, James	1825-26
Johnson, James L.	1849-51
Johnson, John T.	1821-25
Johnson, Richard M.	{ 1807-19 1829-37
Jones, Thomas L.	1867-71
Kendall, John W.	1891-92
Kendall, W. M.	{ 1892-93 1895-97
Kincaid, John	1829-33
Knott, J. Proctor	{ 1867-71 1875-83
Laffoon, Polk	1885-87
Lecompte, Joseph	1825-33
Letcher, Robert P.	1823-33
Lewis, Joseph H.	1870-73
Lewis, John W.	1895-97
Lisle, M. J.	1893-94
Love, James	1833-35
Lyon, Chittenden	1827-35
Lyon, Matthew	1803-11
Mallory, Robert	1859-65
Marshall, Alexander K.	1855-57
Marshall, Humphrey	{ 1849-53 1857-59
Marshall, Thomas A.	1831-35
Marshall, Thomas F.	1841-43
Martin, John P.	1845-47
Mason, John C.	{ 1849-53 1857-59
May, William L.	1835-39
McCreary, James B.	1885-97
McDowell, Joseph J.	1843-47
McHatton, Robert	1826-27
McHenry, John H.	1843-47
McHenry, Henry D.	1871-73
McKee, Samuel	1809-17
McKee, Samuel	1865-69
McKenzie, James A.	1875-83
McLean, Alney	{ 1815-17 1819-21
McLean, Finis Ewing	1849-51
Menifee, Richard H.	1837-39
Menzies, John W.	1861-65
Metcalfe, Thomas	1819-28
Millikin, Charles W.	1873-77
Montgomery, A. B.	1887-95

	IN. OUT.
Montgomery, Thomas	{ 1813-15 1821-23
Moore, Laban T.	1859-61
Moore, Thomas P.	{ 1823-29 1833-35
Morehead, Charles S.	1847-51
Murray, John L.	1838-39
Ormsby, Stephen	1811-17
Orr, Alexander D.	1792-97
Owen, W. C.	1895-97
Owsley, Bryan Y.	1841-43
Parsons, E. Y.	1875-76
Paynter, T. H.	1889-95
Peyton, Samuel O.	{ 1847-49 1857-61
Phister, E. C.	1879-83
Pope, John	1837-43
Pope, Patrick H.	1833-35
Preston, William	1853-57
Pugh, S. J.	1895-97
Quarles, Tunstall	1817-20
Randall, William H.	1863-67
Read, William B.	1871-75
Rice, John M.	1869-73
Ritter, Burwell C.	1865-67
Robertson, George	1817-21
Robertson, Thomas A.	1883-87
Rowan, John	1807-09
Rousseau, Lovell H.	1865-67
Rumsey, Edward	1837-39
Sanford, Thomas	1803-07
Shanklin, George S.	1865-67
Sharp, Solomon P.	1813-17
Simms, William E.	1859-61
Smith, Green Clay	1863-66
Smith, John Speed	1821-23
Southgate, William W.	1837-39
Speed, Thomas	1817-19
Sprigg, James C.	1811-43
Standiford, E. D.	1873-75
Stanton, Richard H.	1849-55
Stevenson, John W.	1857-61
Stone, James W.	{ 1843-45 1851-53
Stone, W. J.	1885-95
Sweeney, William N.	1869-71
Swope, Samuel F.	1855-57
Talbott, Albert G.	1855-61
Taul, Micah	1815-17
Taulbee, W. P.	1885-89

	IN. OUT.		IN. OUT.
Thomasson, William P.	1843-47	Ward, A. Harry	1866-67
Thomas, George M.	1887-89	Ward, William T.	1851-53
Thompson, John B.	{ 1841-43 1847-51	Watterson, Henry	1876-77
Thompson, Philip	1823-25	White, Addison	1851-53
Thompson, Phil B., Jr.	1881-85	White, David	1823-25
Tibbatts, John W.	1843-47	White, John	1835-45
Tompkins, Christopher	1831-35	White, John D.	1881-85
Trimble, David	1817-27	Wickliffe, Charles A.	{ 1823-33 1861-63
Trimble, Lawrence S.	1865-71	Williams, Sherrod	1835-41
Triplett, Philip	1839-41	Willis, Albert S.	1877-87
Trumbo, Andrew	1845-47	Wilson, J. H.	1889-93
Turner, Oscar	1879-85	Winchester, Boyd	1869-73
Turner, Thomas	1877-81	Woodson, Samuel H.	1820-23
Underwood, Joseph R.	1835-43	Woolford, Frank L.	1883-87
Underwood, Warner L.	1855-59	Yancy, Joel	1827-31
Wadsworth, William H.	{ 1861-65 1885-87	Yeaman, George H.	1862-65
Walker, David	1817-20	Young, Bryan R.	1845-47
Walton, Matthew	1803-07	Young, John D.	1873-75
		Young, William F.	1825-27

CHIEF JUSTICES OF KENTUCKY.

Harry Innis	1792	William Simpson	1866
George Muter	1792	Thomas A. Marshall	1866
Thomas Todd	1806	Belvard J. Peters	1868
Felix Grundy	1807	Rufus K. Williams	1870
Ninian Edwards	1808	George Robertson	1871
George M. Bibb	1809	William S. Pryor	1872
John Boyle	1810	Mordecai R. Hardin	1874
George M. Bibb	1827	Belvard J. Peters	1876
George Robertson	1829	William Lindsay	1878
E. M. Ewing	1843	William S. Pryor	1880
Thomas A. Marshall	1847	M. H. Cofer	1881
James Simpson	1852	Joseph H. Lewis	1882
Elijah Hise	1854	Thomas F. Hargis	1884
Thomas A. Marshall	1856	Thomas H. Hines	1885
B. Mills Crenshaw	1857	William S. Pryor	1886
Zachariah Wheat	1858	Joseph H. Lewis	1888
James Simpson	1860	William H. Holt	1890
Henry J. Stites	1862	Caswell Bennett	1892
Alvin Duval	1864	Isaac M. Quigley	1894
Joshua F. Bullitt	1865	William S. Pryor	1895

ATTORNEY-GENERALS OF KENTUCKY.

APPOINTED BY THE GOVERNOR.

George Nicholas	June 15, 1792	F. W. S. Grayson	July 25, 1825
William Murray	Dec. 7, 1792	J. W. Denny	Dec. 21,
John Breckinridge	Dec. 19, 1793		1825, 1826, 1828, 1829, 1831
James Blair	Nov. 30, 1797	Chas. S. Morehead	Mar. 14, 1832
W. W. Blair . resigned	Sept. 13, 1820	Owen G. Cates	Dec. 6, 1838
Jos. M. White	Oct. 26, 1820	M. C. Johnson	Jan. 17, 1849
Ben Hardin	Nov. 27, 1820	James Harlan	1849
Solomon P. Sharp	June 18,		
	1821, 1822, 1824, 1825		

ELECTED UNDER THE CONSTITUTION OF 1850.

James Harlan	1851	Thomas E. Moss	1875
James Harlan	1855	P. W. Hardin	1879
Andrew James	1859	P. W. Hardin	1883
John M. Harlan	1863	P. W. Hardin	1887
John Rodman	1867	William J. Hendrick	1891
John Rodman	1871		

SPEAKERS KENTUCKY HOUSE.

Robert Breckinridge	1792 to 1795	Chas. S. Morehead, 1840, 1841 and 1844	
Edmund Bullock	1796 to 1798	Joseph R. Underwood	1845
John Breckinridge	1799 to 1801	Leslie Combs	1846
John Adair	1802 to 1803	James F. Buckner	1847
William Logan	1804 to 1806	Gwyn Page	1848
Henry Clay	1807	Thomas W. Riley	1849
William Logan	1808 to 1809	George W. Johnson	1850
John Simpson	1810 to 1811	George Robertson	1851
Joseph H. Hawkins	1812 to 1813	Charles G. Wintersmith	1853
William T. Barry	1814	John B. Huston	1855
John J. Crittenden	1815 to 1816	Daniel P. White	1857
Joseph C. Breckinridge	1817 to 1818	David Meriwether	1859
Martin D. Hardin	1819	Rich. A. Buckner, Jr.	1861
George C. Simpson	1820 to 1821	Harrison Taylor	1863 to 1865
Rich. C. Anderson	1822	John T. Bunch	1869
George Robertson	1823 and 1826	James B. McCreary	1871 to 1873
Robert J. Wood	1825	William J. Stone	1875 to 1876
John Speed Smith	1827	Edward Turner	1877 to 1878
Tunstall Quarles	1828	Joseph M. Bigger	1879 to 1880
John J. Crittenden	1829 to 1832	William C. Owens	1881 to 1882
Rich. B. New	1833	Charles Offutt	{ 1883-84
Charles A. Wickliffe	1834		{ 1885-86
	1835-36	Ben Johnson	1887 to 1888
John L. Helm	{ 1839-42	Harvey Myers	1889 to 1890
	1843	William M. Moore	1891 to 1892
Robert P. Letcher	1837 to 1838	A. J. Carroll	1893 to 1894

AMBASSADORS, FOREIGN MINISTERS, CONSULS, ETC., WHO WERE
KENTUCKIANS.

James Shannon, Lexington, Envoy Extraordinary and Minister Plenipotentiary to Mexico, 1794.

Henry Clay, Lexington, Envoy Extraordinary and Minister Plenipotentiary to Ghent, 1814.

Richard C. Anderson, Jr., Louisville, Envoy Extraordinary and Minister Plenipotentiary to Colombia, 1823.

Richard C. Anderson, Jr., Louisville, Envoy Extraordinary and Minister Plenipotentiary to Panama, 1826.

William Preston, Jefferson county, Envoy Extraordinary and Minister Plenipotentiary to Spain, 1829.

Thomas P. Moore, Mercer county, Envoy Extraordinary and Minister Plenipotentiary to Colombia, 1829.

Robert R. McAfee, Mercer county, Envoy Extraordinary and Minister Plenipotentiary to Colombia, 1833.

James Brown, Lexington, Envoy Extraordinary and Minister Plenipotentiary to France, 1823-33.

George H. Proffitt, Louisville, Envoy Extraordinary and Minister Plenipotentiary to Brazil, 1843-45.

Peter Grayson, Bardstown, Envoy Extraordinary and Minister Plenipotentiary from Texas to Nova Scotia, 1840.

Edward A. Hannegan, Maysville, Envoy Extraordinary and Minister Plenipotentiary to Russia, 1849.

Robert P. Letcher, Frankfort, Envoy Extraordinary and Minister Plenipotentiary to Mexico, 1849.

William T. Barry, Lexington, Envoy Extraordinary and Minister Plenipotentiary to Spain, 1835.

Cassius M. Clay, Richmond, Envoy Extraordinary and Minister Plenipotentiary to Russia, 1862-69.

Thomas Corwin, Bourbon county, Envoy Extraordinary and Minister Plenipotentiary to Mexico, 1861-64.

Humphrey Marshall, Louisville, Envoy Extraordinary and Minister Plenipotentiary to Central America, 1851-52.

Humphrey Marshall, Louisville, Envoy Extraordinary and Minister Plenipotentiary to China, 1852-54.

William Preston, Louisville, Envoy Extraordinary and Minister Plenipotentiary to Spain, 1858-61.

John C. Breckinridge, Lexington, Envoy Extraordinary and Minister Plenipotentiary to Spain, 1855.

Chas. S. Todd, Shelby county, Envoy Extraordinary and Minister Plenipotentiary to Russia, 1841-45.

George H. Yeaman, Owensboro, Envoy Extraordinary and Minister Plenipotentiary to Denmark, 1865-71.

Allan A. Burton, Lancaster, Envoy Extraordinary and Minister Plenipotentiary to Colombia, 1861-66.

Thomas H. Nelson, Maysville, Envoy Extraordinary and Minister Plenipotentiary to Chili, 1861-65.

Thomas H. Nelson, Maysville, Envoy Extraordinary and Minister Plenipotentiary to Mexico, 1869-73.

William Cassius Goodloe, Lexington, Envoy Extraordinary and Minister Plenipotentiary to Belgium, 1878-81.

Charles W. Buck, Midway, Envoy Extraordinary and Minister Plenipotentiary to Peru, 1885-89.

Charles D. Jacob, Louisville, Envoy Extraordinary and Minister Plenipotentiary to Colombia, 1885-86.

Beverly L. Clarke, Simpson county, Minister Resident to Guatemala, 1857.

Beverly L. Clarke, Simpson county, Minister Resident to Honduras, 1858.

Thomas H. Clay, Lexington, Minister Resident to Nicaragua, 1862.

Thomas H. Clay, Lexington, Minister Resident to Honduras, 1863-68.

Edward A. Turpin, Carrollton, Minister Resident to Venezuela, 1858-61.

Joseph A. Nunez, Louisville, Minister Resident to Cardenas, Spain, 1882.

Michael J. Cramer, Covington, Minister Resident to Switzerland, 1881.

Boyd Winchester, Louisville, Minister Resident to Switzerland, 1885-86.

William O. Bradley, Garrard county (declined), Minister Resident to Corea, 1889.

Robert B. McAfee, Mercer county, Charge d'Affaires to New Granada, 1833.

Robert B. McAfee, Mercer county, Charge d'Affaires to Ecuador, 1836.

James Semple, Albany, Charge d'Affaires to New Granada, 1837-41.

James Shannon, Lexington, Charge d'Affaires to Central America, 1832.

Joseph Eve, Knox county, Charge d'Affaires to Texas, 1841.

Elijah Hise, Logan county, Charge d'Affaires to Guatemala, 1848.

James B. Clay, Lexington, Charge d'Affaires to Portugal, 1849-50.

John Rowan, Jr., Bardstown, Charge d'Affaires to Two Sicilies, 1848.

Robert Wickliffe, Jr., Lexington, Charge d'Affaires to Sardinia, 1848-52.

B. Rowan Hardin, Bardstown, Charge d'Affaires to Panama, 1853.

Alexander A. McClung, Mason county, Charge d'Affaires to Bolivia, 1849.

Richard H. Rousseau, Louisville, Charge d'Affaires to Honduras, 1868-70.

E. Rumsey Wing, Owensboro, Charge d'Affaires to Ecuador, 1869-73.

Michael J. Cramer, Covington, Charge d'Affaires to Denmark, 1876.

James T. Pickett, Mason county, Consul General to Vera Cruz, 1853-61.

George N. Sanders, Carrollton, Consul General to London, —.

Alfred Allen, Breckinridge county, Consul General to China, 1866-68.

Robert B. J. Twyman, Paducah, Consul General to Vera Cruz, 1857.

E. Mars Hancock, Maysville, Consul General to Malaga, 1861-72.

Charles J. Helm, Newport, Consul General to Havana, 1857-61.

Theodore D. Edwards, — — —, Consul General to South America, 1861.

William F. Nast, Owingsville, Consul General to Stuttgart, Wurtemberg, 1861.

Alex. R. McKee, Garrard county, Consul General to Panama, New Granada, 1861.

Warner L. Underwood, Bowling Green, Consul General to Scotland, 1862.

Fortunatus Cosby, Louisville, Consul General to Geneva, Switzerland, 1862.

F. W. Behn, Louisville, Consul General to Messina, Italy, 1862.

Gilderoy W. Griffin, Louisville, Consul General to Apia, 1870.

Gilderoy W. Griffin, Louisville, Consul General to Auckland (Great Britain), 1879.

Gilderoy W. Griffin, Louisville, Consul General to Lanthala, F. I., 1878.

Gilderoy W. Griffin, Louisville, Consul General to Sidney, New South Wales, 1884.

Warren Green, Louisville, Consul General to Kanagawa, 1885.

Thomas C. Jones, Owensboro, Consul General to Funchal, Madeira, 1886-89.

Henry G. Pryor, New Castle, Consul General to Baracoa-de-Cuba, 1887-89.
 William Bowman, Lewis county, Consul General to China, 1889.
 Charles W. Erdman, Louisville, Consul General to Colon, 1891.
 Charles W. Erdman, Louisville, Consul General to Stockholm, Sweden, 1891.
 Charles W. Erdman, Louisville, Consul General to Breslau, Germany, 1892.
 James A. McKenzie, Minister to Peru.
 Albert S. Willis, Minister to Hawaii.
 James H. Mulligan, Consul General to Samoa.
 Benjamin H. Ridgely, Consul to Geneva.
 Claude M. Thomas, Consul to Marseilles.
 P. B. Spence, Consul to Quebec.
 W. S. Kinkaid, Consul General to Southampton.
 William Masterson, Consul to Aden, Persia.

FEDERAL GENERALS OF THE CIVIL WAR OF 1861-65.

Major-General Cassius M. Clay.	Brig. and Brev. Maj.-Gen'l John T. Croxton.
Major-General William Nelson.	Brig. and Brev. Maj.-Gen'l Eli Long.
Major-General Thomas L. Crittenden.	Brigadier-General Jerry T. Boyle.
Major-General Lovell H. Rousseau.	Brigadier-General Speed S. Fry.
Major-General Thomas J. Wood.	Brigadier-General Green Clay Smith.
Brig. and Brev. Maj.-Gen'l Robert Anderson.	Brigadier-General Edward H. Hobson.
Brig. and Brev. Maj.-Gen'l W. T. Ward.	Brigadier-General James S. Jackson.
Brig. and Brev. Maj.-Gen'l Richard W. Johnson.	Brigadier-General T. T. Garrard.
Brig. and Brev. Maj.-Gen'l Stephen G. Burbridge.	Brigadier-General Jas. M. Shackelford.
Brig. and Brev. Maj.-Gen'l Walter C. Whitaker.	Brigadier-General W. P. Sanders.
	Brigadier-General L. P. Watkins.

CONFEDERATE GENERALS.

General Albert Sidney Johnston.	Brig.-Gen. Roger W. Hanson.
Lieut.-Gen. Simon Bolivar Buckner.	Brig.-Gen. Basil W. Duke.
Lieut.-Gen. John B. Hood.	Brig.-Gen. Lloyd Tilghman.
Maj.-Gen. John C. Breckinridge.	Brig.-Gen. George B. Hodge.
Maj.-Gen. George B. Crittenden.	Brig.-Gen. John S. Williams.
Brig.-Gen. John H. Morgan.	Brig.-Gen. Thomas H. Taylor.
Brig.-Gen. Ben Hardin Helm.	Brig.-Gen. Henry B. Lyon.
Brig.-Gen. William Preston.	Brig.-Gen. R. S. Gano.
Brig.-Gen. Humphrev Marshall.	Brig.-Gen. Adam R. Johnson.

PROVISIONAL GOVERNMENT OF KENTUCKY 1861-65,

UNDER WHICH THE STATE WAS ADMITTED INTO THE CONFEDERATE UNION
DURING THE CIVIL WAR.

GOVERNOR—George W. Johnson; killed at Shiloh, and succeeded by Richard Hawes. SECRETARY OF STATE—Robert McKee. TREASURER—John Barnum. AUDITOR—Q. Pillsbury.

MEMBERS OF PROVISIONAL CONGRESS FROM KENTUCKY AT RICHMOND, VA.,
FEBRUARY, 1862.

Henry C. Burnett, John Thomas, T. L. Burnett, George W. Ewing, D. P. White, Thomas Johnson, Samuel H. Ford, T. B. Monroe, John M. Elliott and George B. Hodge. There was no Senate, as yet.

MEMBERS OF THE REGULAR CONFEDERATE CONGRESS FROM KENTUCKY.

SENATORS—Henry C. Burnett and William E. Simmes. REPRESENTATIVES—1863—Willis B. Machen, John W. Crockett, Henry E. Read, G. W. Ewing, J. S. Chrisman, T. L. Burnett, A. W. Bruce, George B. Hodge, Eli M. Bruce, James W. Moore, R. J. Breckinridge, Jr., and John M. Elliott.

For 1864-65, the same were elected again, except George W. Triplett, H. Marshall and B. F. Bradley, to the vacancies of Crockett, Hodge and Breckinridge, respectively.

PROMINENT KENTUCKIANS.

Zachary Taylor, Jefferson county, President United States	1848
Abraham Lincoln, Larue county, President United States	1861 to 1865
Jefferson Davis, Christian county, President Confederate States	1861 to 1865
Richard M. Johnson, Scott county, Vice-President United States	1837 to 1841
David R. Atchison, Fayette county, Vice-President United States	1853 to 1855
Jesse D. Bright, Covington, Vice-President United States	1855 to 1857
John C. Breckinridge, Lexington, Vice-President United States	1857 to 1861
John Brown, Frankfort, President United States Senate	1800 to 1804
John Pope, Bardstown, President United States Senate	1810 to 1811
Henry Clay, Lexington, Speaker House Representatives	{ 1811 to 1814 1815 to 1820
John White, Richmond, Speaker House Representatives	1841 to 1844
Liun Boyd, Trigg county, Speaker House Representatives	1851 to 1855
John G. Carlisle, Covington, Speaker House Representatives	{ 1883 to 1885 1886 to 1887 1888 to 1889
John G. Carlisle, Secretary of the Treasury	1893 to —
Adlai E. Stevenson, Bloomington, Ill., Vice-President of the United States, 1893, of Christian county, Ky.	

HEADS OF DEPARTMENTS AND OFFICERS UNITED STATES GOVERNMENT FROM 1792 TO 1892 WHO WERE KENTUCKIANS.

Henry Clay, Lexington, Secretary of State, 1825-29.

George M. Bibb, Louisville, Secretary of the Treasury, 1844-45.

Thomas Corwin, Bourbon county, Secretary of the Treasury, 1850-53.

- James Guthrie, Louisville, Secretary of the Treasury, 1853-57.
 Benjamin H. Bristow, Christian county, Secretary of the Treasury, 1874-76.
 Isaac Shelby (declined), Lincoln county, Secretary of War, 1817.
 John McLean, Mason county, Secretary of War, 1841-45.
 Jefferson Davis, Christian county, Secretary of War, 1853-57.
 Joseph Holt, Louisville, Secretary of War, 1860-61.
 Orville H. Browning, Fayette county, Secretary of the Interior, 1861-65.
 John McLean, Mason county, Postmaster-General United States, 1823-29.
 William T. Barry, Lexington, Postmaster-General United States, 1829-35.
 Amos Kendall, Frankfort, Postmaster-General United States, 1835-41.
 Charles A. Wickliffe, Bardstown, Postmaster-General United States, 1841-45.
 Joseph Holt, Louisville, Postmaster-General United States, 1859-60.
 Montgomery Blair, Frankfort, Postmaster-General United States, 1861-64.
 John Breckinridge, Fayette county, Attorney-General United States, 1805-06.
 Felix Grundy, Nelson county, Attorney-General United States, 1838-40.
 John J. Crittenden, Frankfort, Attorney-General United States, 1841-50-53.
 James Speed, Louisville, Attorney-General United States, 1864-66.
 Henry Stansbury, Campbell county, Attorney-General United States, 1866-68.
 Zack Montgomery, Bardstown, Assistant Attorney-General United States, 1885-89.
 George H. Shields, Bardstown, Assistant Attorney-General United States, 1889-91.
 Major Carey H. Fry, Paymaster-General War Department, 1862-63.
 James H. Spots, Rear Admiral United States Navy, 1881.
 James E. Jouett, Commodore United States Navy, 1883.
 Walter Evans, Christian county, Commissioner Internal Revenue, 1883.
 James Q. Chenoweth, Harrodsburg, First Auditor Treasury, 1885-89.
 Milton J. Durham, Danville, First Controller Treasury, 1885-89.
 John G. Carlisle, Secretary of the Treasury, 1893-97.

JUDGES UNITED STATES SUPREME COURT.

- John McLean, Mason county 1829 to 1862
 John Catron, Wayne county 1837 to 1865
 John McKinley, Jefferson county 1837 to 1852
 Samuel F. Miller, Richmond 1862
 Thomas Todd, Frankfort ———
 Robert Trimble, Paris 1826 to 1828
 John M. Harlan, Louisville 1877 to 1892

KENTUCKIANS GOVERNORS OF OTHER STATES.

- John Boyle (declined), Garrard county, Governor of Illinois Territory, 1809.
 Ninian Edwards, Logan county, Governor of Illinois Territory, 1809-17.
 Ninian Edwards, Logan county, Governor of Illinois State, 1826-30.
 Thomas Carlin, Nelson county, Governor of Illinois State, 1838-42.
 Richard Yates, Warsaw, Governor of Illinois State, 1861-64.

- Samuel Hubbard, Logan county, Governor of Illinois State, —.
- John McLean, Mason county, Governor of Illinois State, —.
- William L. Ewing, Lexington, Governor of Illinois State, —.
- Richard Oglesby, Oldham county, Governor of Illinois State, 1864-66.
- John M. Palmer, Scott county, Governor of Illinois State, 1870-74.
- Shelby M. Cullom, Wayne county, Governor of Illinois State, —.
- Benjamin Howard, Fayette county, Governor of Indiana Territory, 1810-13.
- Ratliffe Boone, Mercer county, Governor of Indiana State, 1819-22.
- James Brown Ray, Boone county, Governor Indiana State, 1825-31.
- James Whitcomb, Lexington, Governor Indiana State, 1842-48.
- John Pope, Bardstown, Governor of Arkansas Territory, 1829-35.
- Robert Crittenden, Logan county, Governor of Arkansas Territory, —.
- Thomas J. Churhill, Jefferson county, Governor of Arkansas State, 1881-83.
- Joseph M. White, Franklin county, Governor of Florida Territory, 1818-22.
- William P. Duval, Nelson county, Governor of Florida Territory, 1822-34.
- Richard K. Call, Logan county, Governor of Florida State, 1835-40.
- William Clark, Jefferson county, Governor of Missouri Territory, 1813-21.
- Benjamin Howard, Fayette county, Governor of Missouri Territory, 1811-12.
- Daniel Dunklin, Mercer county, Governor of Missouri State, 1832-36.
- Milburn W. Boggs, Fayette county, Governor of Missouri State, 1836-40.
- Claiborn F. Jackson, Fleming county, Governor of Missouri State, 1860-61.
- B. Gratz Brown, Frankfort, Governor of Missouri State, 1870-74.
- Silas Woodson, Knox county, Governor of Missouri State, 1874-78.
- Thomas T. Crittenden, Breckinridge county, Governor of Missouri State, 1880-84.
- David R. Francis, Madison county, Governor of Missouri State, 1889 —.
- James Birney, Boyle county, Governor of Michigan Territory, —.
- Steven T. Mason, Jr., Fayette county, Governor of Michigan State, 1834-40.
- Willis A. Gorman, Flemingsburg, Governor of Minnesota Territory, 1853-57.
- Green Clay Smith, Covington, Governor of Montana Territory, 1865-69.
- William O. Butler (declined), Carrollton, Governor of Nebraska Territory, 1854.
- William A. Richardson, Nicholas county, Governor of Nebraska Territory, 1857-61.
- David Meriwether, Jefferson county, Governor of New Mexico Territory, 1853-57.
- Thomas Corwin, Bourbon county, Governor of Ohio State, 1840-42.
- John P. Gaines, Boone county, Governor of Oregon Territory, 1850-53.
- John Floyd, Jefferson county, Governor of Virginia State, 1830-34.
- Henry Dodge, Jefferson county, Governor of Wisconsin State, 1836-41-45-48.
- Sam B. Maxey, Adair county, Governor of Texas, —.
- John J. Ireland, Hardin county, Governor of Texas, —.
- Preston H. Leslie, Barren county, Governor of Montana Territory, 1885-89.
- Eli H. Murray, Breckinridge county, Governor of Utah Territory, 1883-85.
- Caleb West, Harrison county, Governor of Utah Territory, 1885-89.
- John Chambers, Mason county, Governor of Iowa Territory, 1841-46.
- Jacob O. Plister, Fayette county, Secretary of Iowa Territory, 1841-45.
- James Brown, Lexington, Governor of Louisiana, —.
- Robert C. Wickliffe, Bardstown, Governor of Louisiana, 1858-62.
- Richard M. Bishop, Fleming county, Governor of Ohio, 1875.

KENTUCKIANS U. S. SENATORS FROM OTHER STATES.

Allan B. Magruder, Lexington, from Louisiana, 1812-13.
 James Brown, Frankfort, from Louisiana, 1819-24.
 Josiah Stoddard Johnston, Mason county, from Louisiana, 1824-25.
 Felix Grundy, Nelson county, from Tennessee, 1829-38, 1840.
 Ninian Edwards, Logan county, from Illinois, 1818-24.
 John McKinley, Jefferson county, from Alabama, 1826-31.
 Edward A. Hannegan, Maysville, from Indiana, 1843-49.
 Lewis F. Linn, Jefferson county, from Missouri, 1833-43.
 John McLean, Logan county, from Illinois, 1824-25, 1829-30.
 John M. Robinson, Scott county, from Illinois, 1830-42.
 Francis P. Blair, Jr., Lexington, from Missouri, 1871-77.
 Jesse D. Bright, Covington, from Indiana, 1845-62.
 Jefferson Davis, Christian county, from Mississippi, 1847-53, 1857-61.
 David R. Atchison, Fayette county, from Missouri, 1845-55.
 B. Gratz Brown, Frankfort, from Missouri, 1860-67.
 Thomas Corwin, Bourbon county, from Ohio, 1845-50.
 H. P. Haun, Scott county, from California, 1859-60.
 Henry S. Lane, Bath county, from Indiana, 1861-67.
 James Semple, Albany, from Illinois, 1843-47.
 Thomas B. Read, Mercer county, from Mississippi, 1826-27-29.
 Robert W. Johnson, Scott county, from Arkansas, 1853-61.
 Governor Vest, Frankfort, from Missouri.
 Richard Call, Logan county, from Florida.
 Richard Oglesby, Oldham county, from Illinois.
 Shelby M. Cullom, Wayne county, from Illinois.
 Henry Dodge, Jefferson county, from Wisconsin, 1849-57.
 Solomon U. Downes, from Louisiana, 1847-53.
 John Norvell, Lexington, from Michigan, 1835-41.
 James Whitcomb, Lexington, from Indiana, 1849-52.
 Richard Yates, Warsaw, from Illinois, 1865-71.

MEMBERS OF THE CONSTITUTIONAL CONVENTION, 1890-1.

Adair—J. F. Montgomery.
 Allen—W. J. McElroy.
 Anderson—Thos. H. Hanks.
 Ballard and Carlisle—W. J. Edrington.
 Barren—S. H. Boles.
 Bath and Rowan—L. V. Williams.
 Boone—L. W. Lassing.
 Bourbon—C. M. Clay, Jr.
 Boyd and Lawrence—Laban T. Moore.
 Boyle—R. P. Jacobs.
 Bracken—W. W. Field.
 Breathitt, Morgan and Magoffin—J. E. Quicksall.

Breckinridge—Will Miller.
 Bullitt and Spencer—Frank P. Straus.
 Butler and Edmonson—Jas. M. Forgy.
 Caldwell—C. T. Allen.
 Calloway—W. W. Ayres.
 Campbell—George Washington, Geo. Truesdell.
 Carroll—H. Cox.
 Carter and Elliott—Robert Parsons.
 Casey and Russell—John L. Phelps.
 Christian—Dr. J. D. Clardy.
 Clark—W. M. Beckner.
 Clay, Jackson and Owsley—S. P. Hogg.

Clinton and Cumberland—J. A. Brents.
 Covington—William Goebel, W. H. Mackoy.
 Crittenden and Livingston—T. J. Nunn.
 Daviess—Thomas S. Pettit, Benj. Birkhead.
 Estill and Lee—J. F. West.
 Fayette—P. P. Johnston, Charles J. Bronston.
 Fleming—W. J. Hendrick.
 Floyd, Letcher and Knott—F. A. Hopkins.
 Franklin—Thomas H. Hines.
 Fulton and Hickman—J. M. Brummal.
 Gallatin—J. S. Brown.
 Garrard—Wm. Berkele.
 Grant—R. H. O'Hara.
 Graves—T. J. Elmore.
 Grayson—Charles Durbin.
 Green and Taylor—J. M. Wood.
 Greenup—B. F. Bennett.
 Hancock—G. D. Chambers.
 Hardin—Harvey H. Smith.
 Harlan, Perry, Bell and Leslie—J. G. Forrester.
 Harrison—Dr. W. H. Martin.
 Hart—S. B. Buckner.
 Henderson—Dr. H. H. Farmer.
 Henry—John D. Carroll.
 Hopkins—H. R. Bourland.
 Jefferson—Sam E. English.
 Jessamine—Dr. J. W. Holloway.
 Kenton—Dudley E. Glenn.
 Knox and Whitley—Nath'n Buchanan.
 Larue—I. W. Twyman.
 Laurel and Rockcastle—W. R. Ramsey.
 Lewis—S. J. Pugh.
 Lincoln—W. H. Miller.
 Logan—J. Guthrie Coke.

Louisville—1st Dist., Zack Phelps.
 2d Dist., Dr. M. K. Allen.
 3d Dist., Morris Sachs.
 4th Dist., B. H. Young.
 5th Dist., E. J. McDermott.
 6th Dist., E. E. Kirwin.
 7th Dist., J. T. Funk.
 Madison—Curtis F. Burnam.
 Marion—J. Proctor Knott.
 Marshall and Lyon—Dr. Samuel Graham.
 Mason—Emery Whitaker.
 McCracken—W. G. Bullitt.
 McLean—Jep. C. Johnson.
 Meade—J. F. Woolfolk.
 Mercer—Dr. J. H. Moore.
 Metcalfe and Monroe—W. S. Smith.
 Montgomery, Powell, Wolfe and Menifee—G. B. Swango.
 Muhlenberg—Dr. A. D. James.
 Nelson—J. W. Muir.
 Nicholas and Robertson—Hanson Kennedy.
 Ohio—Henry D. McHenry.
 Oldham and Trimble—S. E. DeHaven.
 Owen—Joseph Blackwell.
 Pendleton—Leslie T. Applegate.
 Pike, Martin and Johnson—A. J. Auxier.
 Pulaski—John S. May.
 Scott—J. F. Askew.
 Shelby—J. C. Beckham.
 Simpson—Geo. C. Harris.
 Todd—H. G. Petrie.
 Trigg—W. W. Lewis.
 Union—I. A. Spalding.
 Warren—Robt. Rodes, D. C. Amos.
 Washington—J. W. Lewis.
 Wayne—J. S. Hines.
 Webster—W. F. Doris.
 Woodford—James Blackburn.

